

The Forum

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WHY THE TREATY SHOULD BE RATIFIED.

IN 1521 Magellan discovered the Philippines. In 1564 Spain took possession of them and named them after Philip II. She has held them ever since, except that England took and held Manila in 1762 for a ransom of 1,000,000 pounds sterling, which was never paid.

The archipelago covers about 1,000 miles north and south, and 600 east and west. The number of the islands is variously estimated at from 1,200 to 2,000. Some of them remain unexplored.

The principal islands are Luzon, Mindanao, Paláwan, Samar, Panay, Mindoro, Leyte, Negros, Cebú, Masbate, Bohol, Catanduanes, Tablas, Burias, and Ticao. Luzon is the largest. Its area is 41,000 square miles. Mindanao, the next largest, has 37,500 miles. The aggregate land area is 114,356 square miles, or greater than that of Arizona.

Owing to the great extent of the Islands from north to south, the climate varies. In Manila the hottest season is from March to June; the greatest heat being felt in May, before the rains set in. The temperature then varies from 80° to 100°. It is coolest in December, when the temperature varies from 60° to 75°. At Manila the average rainfall is from 75 to 120 inches per annum. In other parts of the archipelago it is heavier.

The estimated population is 8,000,000. The Philippine Malays are said to be superior to many other Asiatic peoples. They are orderly, amiable, courteous, honest, and superstitious. The inhabitants comprise Malays, Aítas, Negritos, pure blacks, Chinese, Japanese, Indians, Moors, Europeans, and mixtures of each with the others. There are

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many tribes and many languages and dialects. The inhabitants are generally tractable and amenable to government. They are fond of music, dancing, gambling, and cock-fighting.

Probably there are not more than fifteen or twenty thousand Spaniards who permanently reside in the Islands. Agriculture is not much developed. The people weave cotton and silk: they tan leather, excel in shipbuilding, and make wagons and carts.

The Philippines are rich in woods: ebony, cedar, iron-wood, sapan-wood, logwood, and gum trees are abundant. They produce gutta percha, cocos, bamboo, areca palm, the banava, and the melane. Mangoes, plantains, jack fruits, and the Malayan fruits are found. Rice, potatoes, peas, and wheat are raised.

Among animals are to be found deer, buffalo, horses, and monkeys. There are many reptiles, and birds of various kinds.

Among minerals gold, coal, iron ore, copper, galena, zinc, and sulphur have been found.

Commerce has been restricted; and transportation has been deficient. One railroad, running from Manila to Pangasinán (123 miles), has been constructed.

During the quarter ending December 31, 1897, there were exported from these islands to the United States and Great Britain 216,898 bales of hemp (280 pounds per bale), of which 138,792 bales went to the United States, and 78,106 bales to Great Britain. During 1897 hemp was exported to Continental Europe, Australia, China, and Japan. The total exports of hemp for the ten years ending in 1897 amounted to 6,258,965 bales; and 41 per cent went to the United States. During the same years the Philippines exported to the United States and Europe 1,582,904 tons of sugar, of which 875,150 tons went to the United States, 666,391 tons to Great Britain, and 41,362 tons to Continental Europe.

The exports of hemp and sugar during the ten years under review amounted to \$89,263,722.80, or an average of \$8,926,372 per year.

Taking into account the exports of cigars, tobacco, copra, woods, hides, shells, indigo, coffee, etc., the estimate is that the average of exports to the United States is \$1,000,000 per month.

In 1896 the trade of the Islands with Great Britain was in imports \$2,467,000, and exports \$7,467,500; with Germany, \$744,928 imports and \$223,700 exports; with France, \$1,794.90 imports and \$1,987,000 exports; with Belgium, \$272,240 imports and \$45,660 exports; with

the United States, \$162,446 imports and \$4,982,857 exports; with China, \$103,680 imports and \$13,770 exports; and with Japan, \$98,782 imports and \$1,387,909 exports.

In 1896 the total imports into the Islands were valued at \$10,631,-250, and the exports at \$20,175,000. The chief imports are rice, flour, dress goods, wines, coal, and petroleum. These data have been taken from a publication entitled "Military Notes on the Philippines," issued by the War Department.

Let it be noted that the exports exceed annually by \$175,000 the sum of \$20,000,000, which is the amount to be paid for the Islands by the United States.

The immediate question now is not whether we shall endow the Philippines with independence by creating a new nation, but whether, by refusing to ratify the treaty made at Paris, we shall give the Islands back to Spain.

Call it destiny, call it the will of God, call it the overruling result of circumstances, call it what you will, it is plain that an overpowering necessity rested on the commissioners who made the treaty to force on Spain the cession of the islands.

There was no other outcome or outlook. Honor forbade that we should turn over to the tender mercies of Spain the insurgents, whom we had armed and fed and encouraged in revolt. The insurrection against Spain existed before we set foot in Luzon. If we had never sent a sailor or a soldier to Manila, it cannot now be said that the just cause of an oppressed people would have failed. It would be the irony of fate, if, after we, with the aid of the insurgents, have raised the starry flag over the Islands, we ourselves should tear it down, and raise the Spanish flag in its place. Whatever may happen, let this humiliation be spared us. Let us not pillory our good name. Let us not prove recreant to the instincts of humanity.

If the treaty be ratified, as even the Anti-Expansionist now agrees that it shall be, there will be grave problems upon us. The acquisition of territory of itself presents no new problems. The right to acquire new territory has always been affirmed by the Supreme Court. In 1824 Chief Justice Marshall (in *American Ins. Co. vs. Canter*, 1 Peters, p. 542) held that "The Constitution confers absolutely on the Government of the Union the power to make war and to make treaties; consequently the Government possesses the power of acquiring territory either by conquest or by treaty." Should other authorities be desired, I refer to a very able recent pamphlet entitled "Our Treaty with Spain," by Mr.

Charles Henry Butler, wherein many of them are very industriously and accurately collated.

It is curious that, although we have accepted eleven cessions of territory made to the United States, it should now be doubted by any person that we have the right to acquire territory.

Under our first Treaty of Peace with Great Britain that Power renounced all jurisdiction over what afterward became the Northwest Territory. On October 21, 1803, Napoleon Bonaparte ceded to us, for \$12,000,000 cash paid, and the relinquishment of certain claims, the territory of Louisiana. Spain ceded Florida in 1819. Oregon was acquired by discovery, but Spain quitclaimed to us in 1819. Texas was admitted as a State by joint resolution in 1845. California, Colorado, Nevada, Utah, New Mexico, and parts of Arizona and other States, were acquired under the Treaty of Guadalupe-Hidalgo with Mexico in 1848. Horseshoe Reef in Lake Erie was ceded by Great Britain in 1850. The Navassa Islands, and other guano islands in the Pacific, were occupied by discovery, and so were the Midway Islands. Parts of Arizona and New Mexico were acquired by the "Gadsden purchase" in 1853. Alaska was acquired in 1867, and Hawaii in 1898.

We are three or four times as big as we were when the first acquisition was made; and our population is more than fifteen times as great as it then was. We have taken land by discovery, by conquest, by treaty, by joint resolution, and by annexation. We have sounded the gamut of acquisition of land; and in every case the Supreme Court, the tribunal which governs the United States by its judgments, construing the Constitution, has ratified, supported, and sustained the brave and wise Executive who dared to be an Expansionist.

And now the question arises, Shall we, in the face of all this body of law, halt and stop in the onward path to national greatness?

When, as the result of war, an hostile army possesses territory of the enemy, that territory is said to be occupied. From occupation follows supreme jurisdiction over the territory. The original sovereign ceases to reign; and the mailed hand of the conqueror writes the laws, civil and military.

In other lands and other wars the condition of the conquered people has been hard and deplorable. In our case we march bearing gifts, the choicest gifts—liberty and hope and happiness. We carry with us all that gives to the flower of life its perfume. The dusky East rises at our coming; and the Filipino springs to his feet and becomes a free man. This is not poetry, but reality wrought out by a people to

whom freedom is the breath of life, and who would scorn to enslave a country or a race.

We hold Cuba, Porto Rico, and the Philippines as conquered soil. We will hold them by our armies from necessity until Congress, in its wisdom, shall turn them over to the civil power. We have assumed the duty of keeping order in these possessions. We shall not interfere with private rights. It is well settled by the law of nations, and has been adjudicated many times by the Supreme Court, that the inhabitants, citizens, or subjects of a conquered country, territory, or province retain all the rights of property which have not been taken from them by the orders of the conqueror. There is no question, there can be no question, as to the retention by the people of the Philippine Islands of all the rights, civil and religious, that they ever had; nor can there be any doubt that these rights will be greatly enlarged. The treaty with Spain wisely leaves these rights unmentioned. It says simply that

"the civil rights and political status of the native inhabitants of the territories hereby ceded to the United States shall be determined by Congress."

In other treaties it had been provided that the inhabitants of annexed territory might become citizens of the United States, and entitled to all the privileges of such citizens. In the Spanish treaty there is no such provision.

Will our own people never learn that we are a nation? Have we shed vast quantities of blood and spent countless treasure in vain? Are we still to stand manacled before the world by the doctrine that we are a confederacy of sovereign states? It is impossible for any man to read our judicial history without recognizing that

"the United States are a sovereign and independent nation, and are vested by the Constitution with the entire control of international relations and with all the powers of government necessary to maintain that control and to make it effective."¹

As long as lawyers exist—and I beg to pay to the profession the compliment of saying that liberty cannot prevail in a country that is without lawyers—questions of the construction of written language will arise and will be argued. The list of cases holding that, as Story says,

"the power of Congress over annexed territory is clearly exclusive and universal; and their legislation is subject to no control, but is absolute and unlimited, unless so far as affected by stipulations in the cession,"

or by some prior ordinance, stretches back to the adoption of the Constitution. Still we find to-day that distinguished gentlemen deny the power of Congress to govern the Philippines.

¹ 149 U. S. Reports, 711.

There are men in France who were born on the wrong side of the barricades. There are men in the United States whose political theory is to antagonize the Government. There are others—bright, glorious fellows—who are so devoted to human rights that they pass their lives in treading the dangerous line which separates freedom from anarchism. It will not do to say, as a Congressman said, “What is the Constitution between friends?” but it may be said that it is the wisest and the most expansive document ever written by the hand of man. It is like the tent that Saladin gave to Richard. When it was folded it rested in a nutshell: when it was expanded whole armies could recline under its shade. The dear, glorious old document, it is always on the side of common sense, always on the side of progress, always ready to strengthen the glowing periods of the judiciary devoted to our country’s honor, and to stamp legality on the great statutes of freedom. Expansive? Why, it is expansive enough to cover the world, if necessary; and it can contract when the time and the occasion demand contraction.

The Constitution declares that no man shall be tried except by a jury of his peers. A jury is supposed to be twelve men. Bless you! we try Americans every day in China by a consul and two assessors. We try men accused of murder by a consul and four assessors; but the Minister must approve the death sentence. The Constitution provides that all civil cases involving more than \$20 shall be tried by a jury. In China the Consul hears cases involving more than \$20 by himself if he chooses. He calls two assessors to help him if he pleases; but the judgment is his judgment alone.

An adventurous American in Shanghai refused to pay his city taxes because he had no right to vote—not holding real estate. The Consul-General made short work of him; and the Minister approved his finding. The Consul-General held that the Constitution was not operative in China; that the treaties made between China and the United States, and the regulations made by the Ministers in accordance with them, governed. The man got the benefit of the advantages of the Shanghai municipality, and he must pay his taxes.

The Supreme Court has passed on all these questions. When a man was confined for life in a penitentiary in New York for a murder committed off Japan in a ship that flew the American flag, a writ of *habeas corpus* was refused to him by the Supreme Court. It held that his conviction was legal, although he was not tried by a jury. The Constitution had contracted to suit the case!

When a Turkish gentleman sued for damages because an attachment

had illegally issued against his goods, and cited the Constitution, it was held that in civil, as in criminal, matters the laws made in pursuance of the treaties to govern Americans in the East, or the Far East, need not comply with the provisions of the Constitution.

The Constitution is a great document. Interpreted by men supremely great, as it has been and is, it will consecrate just and wise laws made by Congress to take from the army the burden of maintaining law and order; and again, as often before in our history, *cedant arma togæ*. Is it possible that we are degenerate? Is it possible that a generation which put down a gigantic rebellion, and rebuilt from their ruins the fair edifices of the governments of the States, will not be equal to governing the Philippines?

I know that we who wear the rosette of the Loyal Legion, or the badge of the Grand Army, or the iron disk of the Confederacy, "lag superfluous on the stage"; but the war with Spain has demonstrated that our sons are worthy of their sires. This generation—do not doubt it, do not despair of your country—will meet all questions with wisdom and courage and honor. Difficulties as they arise will vanish at the touch of the spear of Ithuriel held in the hands of one who stands to-day for a reunited country. He has vanquished the prejudice of the North and the rancor of the South. He has displayed conspicuous ability under the most difficult circumstances that can attend any administration. Let us trust him to find a way out of the difficulties that lie before us. These difficulties will vanish as we approach them.

I put aside mere criticisms of past action as empty babble. The war was originally waged to secure Cuban independence. Yes; and when the revolutionary war commenced men did not dream of independence. Still it came. In the beginning of the Civil War no man thought of abolishing slavery. Still it was done. Wars rarely keep within projected bounds. Personal ambition, national aggrandizement, are factors which control the issue of events.

If the argument made herein has any force, the legal and constitutional difficulties which were quoted against expansion have disappeared; and the cold, hard, practical question alone remains, Will the possession of these islands benefit us as a nation? If it will not, set them free tomorrow, and let their people, if they please, cut each other's throats, or play what pranks they please. To this complexion must we come at last, that, unless it is beneficial for us to hold these islands, we should turn them loose.

I have answered this question elsewhere, and I do not like to repeat

in one magazine arguments made in another. Therefore I must be brief. By holding them we gain 8,000,000 of people who are ripe for the opening and extension of a magnificent commerce.

We furnish to our young men a new and splendid field for industry and ability. We open up new markets for our manufactured goods. We build up our merchant marine. We become an Asiatic Power; and we shall have something to say about the dismemberment of China.

How is it that every extension of our area has brought us benefactions, and that this one alone will do us harm? If colonies in Asia are injurious to national greatness, why is it that all Europe covets them? Why do England, France, and Germany divide Africa between them, and seize besides portions of China, if the policy of expansion is wrong? Why, if the idea of expansion is futile, has Russia come steadily without a shadow of turning, across the Asiatic continent until now her iron horses drink from the Pacific?

Of course no man disputes the material advantages which will come from greater markets and wider trade; but a sentimental element enters into the antagonism, based on the idea that we are going to govern people, and not all at once make them equal citizens of the United States with ourselves. There is great talk of justice and peace, as if we were going to oppress anybody—which we could not do if we wanted to. Elastic as the Constitution has been shown to be, it will stand forever as the bible of freedom.

We are going to govern the Philippines. Of course we are. Did we not govern the Southern States until they adopted new constitutions? Do we not govern Alaska? Did we not permit the governor, secretary, and judges to make laws for the Northwest Territory?

Why shall we not take the people of the Philippines kindly by the hand and lead them into the blessed light of perfect freedom?

In the government of them there are going to be insuperable difficulties. Are there? Do these difficulties bid England pause in India, or in the myriad settlements that owe allegiance to the Queen? Have the Dutch failed in Java? Is the experiment of colonization in Africa a failure?

In China there are thirty-five treaty ports; and at each one of them the European and the American rule the natives who are resident in the concessions. They rule them absolutely, and generally peaceably and quietly. Sometimes, when a city of a million of natives lies alongside of a small European concession, there will be fear and tremor in every home, and the pale-faced mother will not sleep at night: but the stalwart

man is there, and he has his rifle and his Gatling; and, perchance, the flag of an American, or European, or Japanese gunboat flies on the river which flows by the town.

These conditions are not uncommon. But the soil is Chinese; while in the Philippines our flag would wave over land that belongs to us. It is said that we cannot make these people citizens. Why not? We have made the Indian, the Mexican, and the Negro citizens; and recently the Supreme Court has held that every Chinese child born on our soil is a citizen of the United States.

But the question of citizenship lies a long way off in the future. Let us leave it to be met by a race which has encountered and solved every difficulty that stood in its path to greatness.

CHARLES DENBY.

THE WAR AND THE EXTENSION OF CIVILIZATION.

THE year just closed has revealed more than any other in a century of extraordinary development the extent of the energies inherent in the American people. The idea of disinterested duty, which has seldom animated nations, has nerved the Republic to the prosecution of a costly foreign war, as the result of which a decadent system of colonial exploitation has been swept out of existence, and our flag is found floating in triumph on distant seas.

If the war with Spain was a necessity imposed by "humanity" and "civilization," these principles do not cease to be imperative in the moment of victory. Whatever justified the war has demanded a peace in harmony with its motives; and it was, therefore, the desire and the duty of the Chief Executive of the nation to secure by treaty, through his commissioners, the great ends for which the war was undertaken.

Expressed in a single phrase, the purpose of the American people in assuming the task of intervention was "enforced pacification." A strife rendered interminable by resistance to oppression, on the one hand, and by administrative incapacity, on the other, demanded the interference of a Power strong enough to command a cessation of hostilities. If the theatre of our intervention was unexpectedly extended by our victories in the Pacific, the principles upon which it was based were not thereby modified; and a duty clearly recognized in the case of Cuba became equally imperative in the Philippines.

When the Peace Commissioners of the United States met those of Spain at Paris, it had become evident to our Government that there was no logical justification of the war which did not involve the abdication of Spanish sovereignty in all the territories in question. To claim the abdication of Spanish rule over Cuba and Porto Rico and to permit it to continue over the Philippines, would have been to assert that our motives and purposes were different from those which really inspired and authorized our war for Cuba.

It was, therefore, a moral and logical necessity that Spain should surrender her islands in the Pacific as well as those in the Atlantic. And, if we consider the history of the Philippines, it is still more clearly

evident that their loss to Spain was a fitting conclusion of the recent war. Conquered originally by a fleet sent out from Mexico in 1564, they were a natural adjunct of her American possessions. The first distinct knowledge of the Pacific Ocean had been given to Europe by Magellan, who discovered it in seeking a western route to Asia. For two hundred years the Philippines were a dependency of Mexico; trade and communication were forbidden except through Acapulco; and their government was administered by the Mexican viceroy and *audiencia*. So thoroughly were these islands identified with America by Spain, that not until 1764 was direct trade commenced between them and Europe by the circumnavigation of Africa. The loss of her continental possessions in America left the Philippines in practical isolation from Spain until the opening of the Suez Canal brought Manila within thirty-two days' steam from Barcelona.

By another course of development, the feeble colonies planted on the Atlantic coast of North America have spread their civilization to the Pacific, and their institutions over the whole continent. Hawaii, colonized and developed by American enterprise, has become a part of our national territory. California, along whose coasts the Mexican galleons, laden with the treasures of the East on their way to Europe, sailed from the Philippines to Acapulco three hundred years ago, now carries on a great Pacific trade by steam. A submarine cable will soon connect our western shores with Asia; and an interoceanic canal, wedding the Atlantic and the Pacific, will not only shorten the sailing-distance between our coasts by 10,000 miles, but will bring Boston nearer than Liverpool to Polynesia, Japan, and Northern China.

To the eyes of foreign observers, the opportunities for empire presented to the American Republic by existing conditions seem enviable, and may even excite the suspicion of being intentionally sought. The organization of "anti-imperialistic" societies among us,—a proceeding which implies a belief that some other portion of the American people seriously desires to extend an imperial sway over distant regions,—tends to confirm this false conception in the minds of foreigners, and does a great wrong to the motives and principles of this nation; for the thirst for foreign domination, and the passion for self-enrichment by the plunder of defenceless races, which have created the great empires of the past, are repugnant to our Constitution as well as to our people, none of whom have taken the pains to organize an imperial policy.

There are two propositions upon which, it would seem, all true Americans can solidly unite: (1) That we shall not suffer the peoples

in whose behalf we have intervened to relapse into anarchy; and (2) that we shall not permit the exploitation of defenceless populations under our protection by the methods of the very system which we have just destroyed. To repudiate these propositions, is to repudiate the ethical and logical justification of the war.

The more closely we subject the matter to analysis, the more clearly we perceive that we have been waging a war not of conquest, but of civilization. There are two ways of neutralizing its normal results and of repudiating its animating principles. One of these is to employ the methods which we have succeeded in destroying: the other is to drop the whole enterprise in its state of incompleteness and to confess our error in having undertaken it. Equally with the so-called "imperialists"—if any really exist—the "anti-imperialists" offend against the principle upon which the United States has thus far acted. That principle has been expressed as the right and duty of our Government "in the name of humanity, in the name of civilization," to enforce the end of strife and to secure a rule of justice. To abandon in a critical moment the populations emancipated from the sovereignty of Spain, may seem more respectable than to exploit them; but neither the one nor the other is in harmony with the conception of national duty which inspired the prosecution of the war. There are only three possible positions to be taken upon the question of our proper relation to the late colonies of Spain: (1) That Spain had a right to exploit them, and, since we have defeated her, that we have succeeded to that right; (2) that Spain was wrong in her treatment of her colonies, but that we had no right to interfere; and (3) that Spain was wrong to an extent that justified our interference and our substitution of a better order. Those who accept the last position must admit that our duty has not been fully performed until we have substituted a better order than we found,—in truth, the best order we are able to secure.

Having invoked "humanity" and "civilization" as the watchwords of the war, they now clearly prescribe our task in imposing peace. The current course of events has been described by its enemies as "imperialism," and by its friends as "expansion"; but neither of these terms quite accurately meets the case. The purpose of our Government has not been the subjection of foreign peoples for the sake of empire, nor the enlargement of our territorial limits for the sake of expansion. Both of these words imperfectly express the situation, and, thus far at least, are not true to history. A more fitting term to designate the aims and achievements of the nation is, perhaps, the phrase "the extension of civiliza-

tion"; for it expresses the motive and controlling principle of the war and of the treaty by which, when ratified, it is to be concluded.

The real problem of the moment is, How can the permanent peace, for which the war was fought, be best secured? By the terms of the Treaty of Paris, the sovereign power of the United States has a clear field for the exercise of its peaceful intentions. Nothing short of this unqualified opportunity could have satisfied the just expectations of the American people; and this fact alone is the sufficient justification of the work thus far accomplished. In the midst of the questions which now agitate the public mind there is one clear certainty; namely, that the presence of the Stars and Stripes is the best security against international intrigue, chronic revolution, and every form of violence to the inalienable rights of man.

Precisely what our ultimate relation should be to the territories over which Spain abandons her sovereignty, is a question to be determined by the future. The Treaty of Peace commits our Government to no particular policy in that regard, but opens the way for the final adoption of whatever course may seem most desirable after mature deliberation in the light of more perfect knowledge. To withdraw the protection of our flag and to recall our fleets and armies, would be to act upon an impulse and to render impossible that patient examination of the subject which its importance clearly demands. There is, therefore, no reasonable alternative to our temporary government of the ceded territories pending the settlement of ulterior questions.

It is sometimes alleged that, because we are a self-governing people, we are disqualified for governing others. Every step of our national progress has excited the fears of men who have believed that republican institutions could be safe only in some secluded community lying within narrow boundaries. Animated by this fear, the States reluctantly accepted the necessity of a closer union after the War of Independence; and little Rhode Island, jealously guarding its precious liberties, opposed the idea of federation and refused to ratify the Constitution until it had gone into actual operation. Every step of territorial extension has been followed by a spasm of hysterics over the possible dissolution of the Republic; but each in turn has vindicated the wisdom of confidence in man and the power of great principles. The annexation of Louisiana, which doubled the area of the country at one stroke, developed our inland navigation; and the addition of California stimulated the construction of our great railway system. New inventions, enlarged enterprises, increased prosperity, and a stronger sense of national unity have followed

every territorial extension, and augmented the influence of the Republic among the nations. And now that isolation is no longer possible, with a growing foreign trade that already extends over the globe, shall we doubt that new outposts of defence and influence, unified by a waterway uniting the eastern ocean with the western,—at the same time reducing, by more than half, the sailing-distance between our Atlantic and Pacific coasts, and thereby doubling the efficiency of our navy,—would create new markets for our merchandise, and place the seal of security upon the designs of peace?

It would, indeed, be an anomaly if the best form of government on earth, as we believe ours to be, were incapable of extension by virtue of its excellence. It is true that it is not in its fulness adapted to nations still in their minority, and that, as the highest product of political evolution, it is not to be commended to those which are unprepared to administer and maintain free institutions. Our colonial fathers had practically been self-governing for nearly a century and a half before the Declaration of Independence was written; and yet even they placed limits upon the elective franchise, and demanded specific qualifications for public office. Our territorial administration has always recognized a period of tutelage as a normal political condition; and millions of men have been happy and prosperous under it. Our Constitution was framed and has always been applied with a distinct consciousness that, while men are equal in natural rights, such as life, liberty, and the pursuit of happiness, political rights are the creations of law, not the gifts of nature. No theory of republicanism has ever maintained that maturity in statecraft, or even any degree of political capacity, is essential to every unit of the population. As distinctly as a monarchy a republic must make provision for its natural wards.

Nor can it be consistently maintained that the principles of constitutional government are the exclusive prerogative of a particular race, and are incapable of ultimate extension. We may have reason as a people to be proud of our Anglo-Saxon origin; but let us not forget that the most cosmopolitan population in the world already exists in our own country, has largely assimilated our laws and institutions, and has shed its blood in the common cause of maintaining our heritage of liberty and union. Can we as Americans listen with patience to any word that limits our great achievements as a people to a single race? Shall we thus stigmatize the intelligence and patriotism of our good and faithful fellow-citizens whose lineage goes back to unselfish Ireland, or thrifty Germany, or patriotic France, or industrious Holland, or patient Sweden,

or long-suffering Africa, whose tributaries have flowed into the great stream of our national existence? If there is a larger word than "American," it is that great unfathomed word "human," which implies that, irrespective of stages of culture, which are the expressions of historic development, there is an underlying unity of nature that opens the door of hope for all mankind.

At the present moment this nation holds in trust the liberties of nearly twelve millions of human beings. When at last it renders an account of its stewardship, what will its answer be? Shall it say to the Lord of Nations, "Here is that which is thine; I have hid it in a napkin, and buried it in the earth; behold thy treasure undiminished"? Or shall it say, "With thy talent I have gathered increase. Behold the wilderness now populous with thriving cities; behold the sea made the highway of human intercourse; behold its islands, no longer bleeding under the sword, but blossoming with plenty, and smiling in the security of peace"? The true glory of a nation is not in the spoils of conquest, but in the fruits of the faithful husbandman; and what a glorious harvest is the ripening of a civic consciousness matured under liberty secured by law!

DAVID J. HILL.

THE INCREASING SUPPLY OF GOLD.

THE average annual production of gold in the world during the ten years from 1851 to 1860, inclusive, was \$132,298,000; for the period 1861-1870, \$126,301,000; for 1871-1880, \$115,081,500; while for the ten years, 1881-1890, it was but \$106,005,360. In the five years, 1881-1885, the average annual production was only \$99,116,000. For twenty-five years the yield diminished; and the output of 1860, \$134,083,000, was not again reached until thirty-two years later. Out of this supply an amount, variously estimated at the time as between \$30,000,000 and \$50,000,000, was annually consumed in the arts and manufactures.

It was during this period that grave doubts were entertained by many eminent men as to whether the supply of gold was sufficient for that metal to be made the universal standard of value and to enable all nations to base their currencies upon it. It was in these years that the statement,—erroneous then, and much farther from the truth now,—that industrial uses consumed one-half of the annual product of gold, was generally set afloat, and that falling prices and every economic change which pinched anybody seemed to find a plausible explanation in the theory of a restricted money-supply. This was the period during which many public men in the United States made records from which in more recent years they would gladly have been delivered. It was the time when International Bimetallism won advocates among scholars and statesmen, and propositions less sane gained countenance and favor.

In 1877 Dr. Edward Suess, the eminent Austrian geologist, published his book, "The Future of Gold," in which he developed an elaborate geological argument against gold as a single standard of value. He set forth that gold was found on the frontiers of civilization only, that lode production was unprofitable, that deep gold-mining had never proved successful, and that, therefore, the alluvial deposits in the yet remote and unexplored portions of the earth were the only dependence to maintain the monetary supply. More than one-half of the quantity of gold obtainable by the means thitherto employed, he estimated, had already passed through the hands of man. The inaccessible location of

the remaining scattered and unknown placers made it probable, in his opinion, that they would be but slowly exploited, and would yield only a moderate annual product.

The ability and learning with which Dr. Suess presented his view caused it to attract wide attention; and great weight was given to it at the time. We may say for him now, as for the economists who shared his fears, that, under the conditions then existing, it was a rational view. But the premises from which he argued have undergone a great change. Gold-mining in rock and at deep levels was then, as he said, of little promise; but in 1898 in South Africa—a field unknown when he wrote—rock was raised from nearly a mile underground, crushed, and treated at a profit, with a yield of \$10 per ton. The average yield of the Witwatersrand ore in 1897 was about \$9.50 per ton; and the average working costs about \$5.60 per ton. The yield of that district in 1898 was \$80,000,000; and within two years it will probably exceed the entire yield of the world at the time Dr. Suess wrote his book. So recently as 1890 the gold product of Colorado was only \$4,000,000, and that of the United States, \$33,000,000. Chiefly by processes of reduction unknown when Dr. Suess wrote, the product of Colorado has been raised to about \$25,000,000 a year; and its miners do not think the figure reached by the whole country in 1890 a very distant figure for their State. Through the same improved methods, the product of Australia has advanced, from about \$30,000,000 in 1890, to probably \$64,000,000 in 1898. These figures are sufficient to show the importance of the new factor which was absent from Dr. Suess's calculations, and which has wrought a revolution in the situation.

GOLD PRODUCTION OF THE RAND.

Months.	1896.	1897.	1898.	Increase over 1897.
	Ozs. crude.	Ozs. crude.	Ozs. crude.	Ozs. crude.
January	148,178	209,382	313,326	103,944
February	167,018	211,000	297,975	86,975
March	173,952	232,066	325,907	93,841
April	176,707	235,698	335,125	99,427
May	195,008	248,305	344,160	95,855
June	193,640	251,529	344,670	93,141
July	203,873	242,478	359,343	116,865
August	213,418	359,603	376,911	117,308
September	202,561	262,150	384,080	121,930
October	199,889	274,175	400,791	126,616
November	201,113	297,124		
December	206,517	310,712		
Totals	2,281,874	3,034,222	3,482,288	1,055,902

The new "golden period" had its beginning in the year 1884, when South Africa appeared on the stage with a modest contribution of about \$50,000 to the world's product. From that time, save for a slight check received in the latter part of 1895, due to the Jameson Raid, the production has been steadily progressing. The remarkably constant pace of its growth is shown by the above table, which gives the yield in crude ounces by months for 1896, 1897, and 1898.

These figures suggest the steady growth of a manufacturing industry, rather than the record of one usually regarded as extremely uncertain in results. Therein is contained one explanation of the extraordinary increase in gold production. Lode-mining, under modern scientific and business methods, has an assurance of stability which, with the profits that can be reasonably forecast, has made unlimited capital obtainable to develop an ascertained field. From 1890 the world's production has been as follows:—

Year.	Amount.	Year.	Amount.
1890.....	\$118,848,700	1894.....	\$181,175,600
1891.....	130,650,000	1895.....	199,304,100
1892.....	146,651,500	1896.....	202,956,000
1893.....	157,494,800	1897.....	237,504,800

Although at this writing the year 1898 is not ended, enough is already known of the yield in the principal fields to make it certain that the increase in 1898 will be greater than in any previous year. Compared with the output of 1897, there is a gain in South Africa of more than \$20,000,000; in Australasia of about \$10,000,000; in the United States of not less than \$7,000,000; and in the rest of North America of probably \$10,000,000. These gains indicate that the world's product for 1898 will prove to be not far below \$300,000,000.

And what of 1899? We can make something of a forecast as to that. If the Rand and Australasia simply maintain throughout 1899 the rate of production which each reached in the latter part of 1898, they will, together, make a gain over 1898 of \$20,000,000; while, if we assume a progressive yield, such as they have been making for the past two years, and include an estimate for North America, from Mexico to the Klondyke, a greater gain is indicated for 1899 than was made in 1898.

Mr. George F. Becker, a distinguished mining engineer, formerly Chief of the United States Geological Survey, estimated, upon careful examination two years ago, that the area in the Rand within twenty miles

of Johannesburg now producing gold can scarcely fail to yield \$3,500,000,000, if mining operations are carried on at a depth of 5,000 feet, which has been proved to be feasible. The West Australian field, which for ten years has shown a continuously progressive increase, in 1898 reaches a product of \$20,000,000. It is an arid region presenting many difficulties to the miner; but the great investments now being made in pipe-lines for conveying water, and in ore-crushing-plants, indicate that it is a region of great possibilities. Colorado, Utah, Washington, British Columbia, the Klondyke, and Alaska may all be expected to show a progressive yield for years to come. All of these districts, except the Klondyke and parts of Alaska, are quartz districts, requiring capital for their working, and promising longer life than placer deposits. The probabilities seem to be that the output will not decline while the present generation of men is interested in affairs.

The estimates of the Bureau of the Mint as to production and consumption are sustained by the increase in visible stocks. The following showing is offered of the disposition of the world's new gold between December 31, 1892, and December 31, 1897.

For the five years, 1893-1897, the Bureau of the Mint, at the end of each year, has estimated the production of the world as follows:

1893.....	\$157,494,800
1894.....	181,175,600
1895.....	199,304,100
1896.....	202,956,000
1897.....	237,504,800
Total.....	<u>\$978,435,300</u>

The estimates of the Bureau, made annually, of industrial consumption, have been as follows:

1893.....	\$50,177,300
1894.....	52,183,736
1895.....	58,579,160
1896.....	59,251,640
1897.....	59,005,980
Total.....	<u>\$279,197,816</u>

The stocks of gold in the principal banks of Europe on or about December 31, 1892, and December 31, 1897, respectively, are given below. The figures, if not for the last day of the month, are from the statements nearest thereto. The sums for Russia and Austria-Hungary include amounts in the Government treasuries, as reported by the official representatives of the United States in those countries.

GOLD COIN AND BULLION IN EUROPEAN BANKS AND TREASURIES, ON
DECEMBER 31, 1892, AND ON DECEMBER 31, 1897, RESPECTIVELY.

	1892.	1897.	Gain.	Loss.
Bank of England.....	\$117,807,200	\$146,950,200	\$29,143,000	
Bank of France.....	329,779,100	376,909,700	47,130,600	
*Imperial Bank of Germany.....	134,739,734	134,744,000	4,266	
†Austria-Hungary.....	106,546,530	227,651,855	121,105,325	
Bank of Spain.....	36,727,900	45,834,660	9,106,760	
Bank of the Netherlands.....	15,406,200	12,776,940		\$2,629,260
National Bank of Belgium.....	14,871,600	13,724,640		1,146,960
Italy:				
Bank of Italy }				
Bank of Naples }	74,227,800	76,678,900	2,451,100	
Bank of Sicily }				
Russia:				
Imperial Bank and Treasury	382,567,601	676,786,666	294,219,065	
Bank of Finland.....	4,188,100	4,303,900	115,800	
National Bank of Roumania.....	10,576,400	11,097,500	521,100	
Switzerland: Banks of issue.....	12,969,600	17,987,600	5,018,000	
Bank of Norway.....	5,558,400	7,835,800	2,277,400	
National Bank of Denmark.....	15,729,500	17,447,200	1,717,700	
Sweden: Royal and Private Banks.	6,542,700	10,190,400	3,647,700	
Banks of Scotland.....	23,160,000	26,055,000	2,895,000	
Banks of Ireland.....	13,510,000	13,027,500		482,500
Totals.....	\$1,304,908,365	\$1,820,002,461	\$519,352,816	\$4,258,720
Net increase.....\$515,094,096.				

* The Imperial Bank of Germany does not report its gold and silver separately. One-third of the stock of coin and bullion reported has been deducted for silver.

† Total stock in country, officially estimated.

The banks of Australasia, South Africa, and Canada held gold on the dates under comparison practically as follows (the Colonial bank statements are averages for the years named):—

	1892.	1897.	Increase.
Australasia.....	\$101,536,795	\$113,001,736	\$11,464,941
South Africa.....	18,233,166	32,831,946	14,598,780
Canada.....	6,526,724	8,663,163	2,136,439
	\$126,296,685	\$154,496,845	\$28,200,160

Little allowance for error in these figures need be made; for they are definite returns of gold in sight and counted. A similar statement of gold stocks in the East in 1892 and 1897 cannot be compiled from data at hand; but the movement between the East and Great Britain is obtainable. For the British East Indies, China, and Japan, the excess of imports and estimated production over exports in the five years under review is \$43,500,000, which may reasonably be counted as the gain by the East.

The increase in the stock of gold of the United States from Decem-

ber 31, 1892, to December 31, 1897, was \$95,457,933. About one-half of this is shown by the reports of the Government Treasury and the national banks, the remainder being considered to have gone to State and private banks and into general circulation.

In the countries of the world not covered by the foregoing statements the change in stocks is not important.

The new gold of the period 1892-97, as estimated, has now practically been all traced into use as follows:—

GAINS IN GOLD STOCKS OF THE WORLD, AND ESTIMATES OF INDUSTRIAL CONSUMPTION, FROM DECEMBER 31, 1892, TO DECEMBER 31, 1897.

European Banks and Treasuries.....	\$515,094,096
United States.....	95,457,933
British East Indies, China, and Japan.....	43,500,000
Banks of Australasia, South Africa, and Canada.....	28,200,160
Industrial Consumption.....	279,197,316
Total.....	\$961,449,505

Subtracting this total from the production, \$978,435,300, we have but \$16,985,795 unaccounted for. The calculation comes out too close to be entirely satisfactory. A larger sum than this must have been absorbed in general circulation abroad; although Russia is the only foreign country in which any considerable increase of circulation is known to have been made. The calculation seems to show conclusively that the annual estimates of production have been conservative, and those of industrial consumption liberal.

A scrutiny of the gains in Europe shows that Russia and Austria-Hungary have taken \$415,324,390 of the total visible increase, \$515,094,096. Russia has taken an average of about \$50,000,000 per year for ten years for the purpose of establishing its currency on a gold basis. All of it was for the time withdrawn from the world's use. Russia's monetary system is now established. The great hoard, accumulated with remarkable persistency and sagacity, is now as open to commercial uses as the reserve of the Bank of England. M. de Witte, Minister of Finance, in his report on the Budget of 1898 recognizes and comments upon this fact in the following language :

"Some years ago the metallic stock of the Bank of Russia, at least to a certain extent, could not be affected by bad harvests, an unfavorable balance of trade, etc.

(Evils, real or imaginary, manifested themselves in the depreciation of the credit ruble.) On the other hand, the circulation, composed exclusively of notes and of bullion, might remain the same when the crisis was at its height, and at a time of great commercial activity. At present, when the bank redeems in gold its notes without any limitation as to the amount, and may issue only 300,000,000 of rubles in notes uncovered by metal, the metallic stock of the bank, the gold in circulation in Russia, the gold circulating in England, in Germany, etc., the gold metallic stocks of the banks of issue constitute a system of communicating vessels. As no chasm now separates Russia from other prosperous countries, the general movement of business will act on the circulation of the Empire and on the reserve of the bank as it does elsewhere neither more nor less."

Austria-Hungary has also practically completed the acquisition of the sum needed for establishing its currency on a gold basis. The artificial drain to both Russia and Austria-Hungary is therefore at an end; and there are now no other countries not on the gold basis which have the resources to buy and pay for that metal at the rate at which those two have been taking it.

The natural influence in the business world of the increased production has up to this time been broken by this diversion to the reorganization of monetary systems. The gold that has been used to retire or cover paper has not enlarged the monetary stock. But, from the time a nation's currency is put on a secure basis, every reinforcement of its gold stock is not only in itself an addition to the stock of money, but, if held in reserve, will support, when occasion requires, a considerably larger addition of paper. That stage has now been reached; and from this time forward the influence of the tide of gold pouring into every market will be an interesting subject for study. What will be the effect upon property values, wages, industrial progress, and social life? Incidentally, what will be the effect upon the political situation in the United States? What will the advocates of the free coinage of silver do in 1900 when they find themselves confronted by a gold output for that year of \$350,000,000, or \$400,000,000? The gold output of the world in 1873 was \$96,200,000, and that of silver, reckoning it at the ratio of 16 to 1, \$81,800,000; together, \$178,000,000. In 1896, the combined output of gold and silver, less the amount consumed in the industries and arts, reckoning silver at its full coining-value under the ratio of 16 to 1, was \$318,587,876. So, when Mr. Bryan comes into the field in 1900, he will find the additional supply of money for which he contended in 1896 furnished in gold. Will he go on affirming that the supply of money has been cut in two, and that there has been no business revival since 1896, or will he embrace the fortunate opportunity gracefully to drop the subject, on the plea that the end he desired is accom-

plished, and that the coincident revival of prosperity has vindicated his theories?

If he and his party go on with their demand for the free coinage of silver, they must do so without their old arguments. The supply of money never was cut in two or reduced at all. The world's stock of silver money has annually increased since 1873, and more rapidly than anybody in prior years could have anticipated. But the new output of gold has overwhelmed and ended all contention on that point. If they are going into a new campaign for the free coinage of silver, it must be made not in opposition to an appreciating standard, but in frank advocacy of a depreciating one.

Much has been written in recent years by Gold Standard advocates against the quantitative theory of money. In so far as their arguments have gone to show that the quantity of money in circulation is but one element in prices, and is usually so obscured by other influences that it can scarcely be traced, they are good; but I do not see how it can be questioned that the quantity of gold available in the world affects its exchange relations to other commodities. Its industrial use is limited, unless we assume a decline from its present exchange value. Its monetary use is also limited, unless we again assume a decline in value, so that more of it is required to make the same exchanges.

The writer has before him a letter from a newspaper editor who claims that more gold is required to do the business of the world, because the standard of living is higher than formerly, and people have more purchases to make. It is true that people buy and consume more: but it is because they produce more; and that, in the main, is due to the greater efficiency of labor. A man obtains the products of others by selling his own; and the gain all round comes by the steadily increasing output per unit of labor. But, though each man's product from the same amount of labor should be doubled, there is no advantage in using a larger amount of gold to effect the exchange of these products. The most equitable basis for the exchange of commodities is the amount of labor in them; and as labor is eliminated, the amount of money required to move them is naturally reduced. Purchases of identical goods, with a stable standard of value, require a constantly decreasing amount of money; and that is only offset by the constantly increasing quantity of goods consumed. There is in this no increased demand for gold, unless things are rated by a higher scale,—*i.e.*, unless gold is depreciated.

If this view is correct, a large and steady increase in the output of gold beyond the growth of population and wealth, such as trebling it in

ten years, must depreciate its value. We may reason from inference that this influence is operative even when it cannot be traced. Prices may be falling when the supply of gold is increasing, not because this law is suspended, but because the counteracting forces are more powerful. The new output of gold may or may not cause an actual rise of prices. It will mean a great and undesirable depreciation of the standard, if the natural tendency to lower prices through new labor-saving processes be offset and stopped.

With gold itself a falling standard, will Mr. Bryan and his supporters still propose a blind leap to a lower basis, or will anybody favor a lower or more rapidly falling standard? What reasons can they offer for such a policy?

The plea for debtors against a standard alleged to be rising may be honorably and forcefully made; but legislation to degrade a standard already favorable to debtors would be an undisguised swindle. Prices that rise merely because money is depreciating bring no legitimate advantages to anyone: for when all prices are affected equally every man's relative position in the exchanges remains unchanged; and if all are not affected alike a manifest injustice is done. Nothing in political economy has been more clearly established by experience than that it is the more uninformed and dependent members of society who fail to get their due in the general scramble of such a readjustment. All of the new "prosperity" which others are said to enjoy is obtained at their expense.

The plea for rising prices is made in behalf of property-owners—those who have real estate or commodities for sale;—but there is a very much more numerous class in society who also have something to sell, viz., the wage-earners. Under the industrial organization of to-day they comprise the millions. They are the class for whose welfare and progress society is most concerned,—the class in which are grouped those who most need the protection that the laws are designed to give. Whatever efforts are made to raise the conditions of men should begin from the bottom.

But as in a general advance wages lag behind, this class at such a time is put under constant disadvantage. Its members must be continually getting their pay increased in order even to hold their own. That is the worst possible position for the wage-earner. The most commanding position that he can occupy is to have a standard of value in which wages may be steady, while the prices of commodities fall to correspond with every elimination of labor from their cost. Then all the forces

that make for industrial progress work for him. Then his share of our constantly increasing production is laid promptly at his door. Every year sees the purchasing power of his wages increase without aggressive action on his part. None are so ignorant, timid, or dependent as to be unable to buy at lower prices when they are prevalent; but all are not equal in the intelligence, courage, and resources required to make a continuous fight for a higher rate of wages.

It is true that as prices advance ahead of wages, the increasing profits of employers stimulate the demand for labor, and gradually advance the price of the latter. This only illustrates the tendency of natural laws to restore an equilibrium that has been disturbed. After prices have ceased to advance, as eventually they must, wages will finally resume the relative position they have lost. Unfortunately, when prices cease to advance after a period of expansion, they generally do so with a crash which disorganizes the whole industrial machine, and throws thousands out of employment. The crash is commonly attributed to the interposition of some new influence; but it is as inevitably a part of the whole movement as any other feature.

It seems inevitable that we are to have a great increase in the volume of money, accompanied, no doubt, by full industrial activity and much speculation the world over. It will be a good time for debt-paying; but unfortunately people do not pay their debts at such a time. They see too many good things that they think they ought to buy. People make debts in booming times and pay them in hard times. Those who think the Government ought to provide money enough "to do the business of the country on a cash basis," and that panics and commercial depressions could be prevented by a "sufficient supply," will learn that indebtedness more than keeps pace with any increase, and that the most marvellous outpouring of gold may be followed by unparalleled stringency in the money market.

The only increase in metallic monetary stocks in recent times comparable to the one now being made was that following the discovery of gold in California and Australia. The stock of gold and silver coin in the world, excluding Asia, in 1850 has been estimated at \$2,000,000,000, and in 1860 at \$2,800,000,000,—an increase of 40 per cent. The present stock of gold and silver coin outside of China and the Straits Settlements is about \$7,500,000,000. To add 40 per cent to this stock in the next ten years would require a net annual increase of \$300,000,000; and it seems entirely probable that this will be made in gold, besides any additions to the stock of subsidiary silver.

The influence in Western Europe of the increased output following 1850 was modified by the extraordinary movement to the East which set in about that time. The building of railways in India, and other extensive investments, with a rapid increase in exports, raised the net imports of gold and silver into India for the five years, 1855-59, to an annual average of about \$65,000,000. That was taking 40 per cent of the entire product. The expense of the Crimean War, with the subsidies and loans made by England and France to Turkey, distributed large sums of coin in Eastern Europe, a region comparatively destitute of it. As a result of these movements, no increase of metallic stocks in the banks of Western Europe from 1850 to 1860 is apparent.

It is generally accepted, however, that the output of Californian and Australian gold was responsible for at least a part of the rise of prices which occurred from 1849 to 1870. Jevons estimated the average rise in commodities from 1849 to 1860 at 24 per cent, and the net rise to 1869 at 19 per cent. He considered that this sustained advance was due to the depreciation of gold; but it is difficult to see how the influence of the wars and new trade conditions which intervened can be so identified and measured as to enable any calculation to be made of the influence of the new gold.

If we look only to money in banks, and ignore estimates of production, consumption, and coinage, we get rid of many uncertainties; and after all that is the potential quantity in monetary stocks. Money in idle hoards, and required in pockets and tills for the daily exchanges, is not available for loans or for new enterprises. So far as money is the basis of credit, it is the supply in banks that is effective, and supports industrial undertakings and speculation, and that through these channels has bearing upon prices. The supply of money in banks is now increasing more rapidly than at any previous time. The stock of gold in such depositories in Europe and in the United States, we have seen, has increased nearly 40 per cent in five years.

Another feature of modern trade relations which has an important bearing upon the effective use of monetary stocks, is the vast accumulation of high-class investment securities known and traded in in all the important money markets of the world. Their value is so stable, and their shipment so easy, that in large degree they take the place of gold in the settlement of international balances. An unusual harvest in one country with shortage elsewhere is coming to require less and less an alarming drain of money from one to the other.

In conclusion, as we contemplate the waste of capital and produc-

tive energy in the search for gold in the Klondyke and elsewhere, the time seems opportune to recall the comments of the French economist, Blanqui, in reviewing the outpouring of the precious metals which resulted from the discovery of America. Writing about 1840, when the rich flow from Mexico and South America, which for several centuries had poured into Europe, had almost ceased, and the mines of the New World seemed to be exhausted, he said:

“Everyone knows to-day that the real advantages which Europe derived from the discovery of the mines of the New World do not come exclusively from the abundance of the precious metals, but from the cultivation of the commodities for consumption which constitute the basis of our exchanges with that country. Gold and silver have disappeared: cotton, sugar, and coffee remain. The single discovery of the potato was worth more than all of the mines of Mexico and Peru.”

GEORGE E. ROBERTS.

GOOD ROADS AND STATE AID.

THE last two generations have seen a wonderful growth in transportation facilities. The opening up of new territory has continued to lend tempting opportunities to capital for railroad investments. The development of commerce and traffic has been constantly encouraged by legislation. Large appropriations have been made for the building of canals; rivers have been made navigable; steamboat lines have been heavily subsidized; and untold millions have been showered on railroads by cities, counties, States, and the nation, through stock and bond subscriptions, cash donations, and grants of boundless tracts of public lands. The results have been marvellous. To-day the cost of shipping a bushel of grain from Chicago to New York is only one-fifth of what it was at the close of the Civil War: the cost of shipping it from New York to Liverpool is only two-fifths of what it was then.

The improvement of country roads—the principal arteries of commerce and travel—has not kept pace with the development of transportation facilities by rail and water. The country road seems to have been a stepchild of legislatures. Its construction and improvement have been left almost entirely in the hands of the farmer; and the rural district is not equal to the occasion. Road-building requires method and system, a considerable investment of funds, judicious financiering, careful economy, and, above all, scientific knowledge. The farmer too often fails to bring any of these essentials into his road-building efforts. “Working out the road tax” is generally a farce. Our average country highways are little better to-day than they were at the close of the Civil War.

The present losses from bad roads in the United States are enormous. Investigations, made in 1,200 counties throughout the country by the United States Office of Road Inquiry, show that the average load of crops drawn to market in the United States weighs 2,002 pounds,—practically a ton,—varying from 1,397 pounds in some States to 2,409 pounds in others. Collateral investigations of the Office, made through United States consuls abroad, show the average load of crops hauled in Europe to be upward of 4 tons. In the consular district of Munich, Ger-

many, the average load is $5\frac{1}{2}$ tons, and in that of Hanover, it is practically 6 tons,—a load which a good team there can haul for an all-day trip. Let us assume that loads of farm produce in this country are one-half, or one-third, of what they are in Europe, and some conception may be formed of the enormous waste of effort in hauling them. The Road Inquiry Office states the cost of hauling to be 25 cents per ton per mile in the United States; while reports from our consuls show it to be only 8.6 cents per ton per mile in Europe,—a trifle more than one-third of what it is with us.

The first estimates of our losses from bad roads were made in the fall of 1891 by John M. Stahl, editor of the "Farmer's Call" and secretary of the Farmers' National Congress. They were based upon reports of the Interstate Commerce Commission and of the Department of Agriculture, and upon the bulletins of the Census Office. Mr. Stahl says:

"I was forced to the conclusion that the annual cost of wagon transportation of the country was \$900,000,000, and that if all the road improvement were made that could be profitably made, the annual saving would be \$500,000,000. These figures were so large, so astounding, that I held them for months, to verify them before making them public. They were stoutly disputed, but have never been successfully assailed."

Gen. Roy Stone, Chief of the Road Inquiry Office, has verified Mr. Stahl's estimates. The results were given to the present writer in 1895; and they showed that the total haulage on the public roads was 313,349,227 tons, costing \$946,414,665.54. Gen. Stone points out that this constitutes more than one-third of the total value of farm products in the United States, stated at \$2,460,170,454 by the Census of 1890.

Sterling Elliott, editor of the "Good Roads Magazine," once very aptly said, that before we could thoroughly realize the difficulty of hauling on our common country roads, it would be necessary for one of two things to happen: either the horse must learn to talk, or else we must take his place on the wagon. The latter occurred, he said, when we learned to ride the bicycle. Every bicycle rider is an agitator for better highways. When the League of American Wheelmen was organized at Newport in 1880, one of its purposes was declared to be "to promote the improvement of public roads and highways." Credit has often been given to the League of American Wheelmen for having initiated the present Good Roads movement. With a membership consisting largely of young and energetic men, and which has grown beyond the hundred thousand mark, the League is generally acknowledged as the most potent factor in the promotion of Good Roads sentiment. Many

years ago Isaac B. Potter, of New York, the best known of its Good Road workers, published his "Gospel of Good Roads," which was widely circulated, and did much to lay the foundations for the Good Roads movement on a large scale. Since 1892 the League has maintained the "Good Roads Magazine," which has been merged more recently into the "L. A. W. Bulletin and Good Roads," the official organ issued weekly to its entire membership. A monster petition to Congress, with signatures collected by the L. A. W. in every State, resulted in the establishment of the United States Office of Road Inquiry, in the Department of Agriculture, whose investigations, published in bulletin form, are of incalculable educational value. The Highway Improvement Committee of the L. A. W. sends its emissaries to numerous Good Roads conventions and to the more important gatherings of farmers; and the highway laws of a number of States have been improved through its efforts. Its latest undertaking in the interest of good roads is the printing of an edition of a million illustrated pamphlets, and their circulation by mail among farmers, whose addresses are being collected for the purpose by the thousands of L. A. W. officials throughout the United States. This project has the endorsement and coöperation of the United States Department of Agriculture, through its Road Inquiry Office, the results of whose investigations will by this means become widely known among farmers. The entire expense of this project is being borne by the L. A. W.; and the first three hundred thousand pamphlets have already been printed and mailed.

While often admitting the need of better highways, the average farmer is inclined to resent any attempt to interfere with his road-building methods, which he considers peculiarly his own affair. No reform, therefore, can be forced upon him. Any proposed plan of road improvement, to be successful, must leave it optional with him to avail himself of its provisions, or not, as he may choose. The initiative must be left in his hands.

The State Aid system seems to have solved the problem of country road improvement to the farmer's satisfaction. This system has been adopted in several States, but is most successfully in operation in New Jersey, where it was first introduced about five years ago. The New Jersey laws for its establishment were passed through the combined efforts of the League of American Wheelmen and of the leaders of thought among the farmers, notably the late Edward Burrough, the president, and E. G. Harrison, the secretary, of the New Jersey Highway Improvement Association. This system of State aid divides the cost of

road improvement between the State, the county, and the owners of abutting property. Improvements are made only upon a petition from the latter, stating the character of the improvements to be made, and consenting to an assessment of their property to cover one-tenth of the cost. Plans and specifications for the proposed improvements are drawn by a county engineer, and must be passed upon by the State highway commissioner. Upon his approval of the work to be undertaken, the county lets the contracts for its execution, and the State appoints a supervising engineer. When the improvement is completed, this engineer certifies that it has been properly made according to the plans approved; and payment is thereupon made by the State to the county of one-third of its cost, the county paying the remainder out of its own treasury. The 10 per cent to be paid by the abutting property is collected with the next year's taxes. This system provides that all improvements shall be scientifically planned, insures economy of methods under the supervision of trained engineers, and admits of large investments without waste of funds. It properly leaves the initiative in the hands of the farmer, so that no proposed improvement can be made except with his full consent; and it relieves him of the largest part of the cost.

The State Aid system has come to be thoroughly understood and appreciated in New Jersey; and hundreds of miles of excellent stone roads have been built. As a result, loads of potatoes have increased from twenty-five baskets to eighty-five, and loads of manure, hauled from Philadelphia, have weighed 6,869, 7,300, and even 7,920 pounds, clear of the wagon, which alone weighed 2,300 pounds, making a total of $4\frac{1}{2}$ to 5 tons. Highway Commissioner Budd states that farmers are enthusiastic over the workings of the law. Both Connecticut and Rhode Island have successfully experimented with State aid on a small scale. In Pennsylvania a State Aid law, drafted by Prof. John Hamilton, Superintendent of Farmers' Institutes, was passed by the legislature of 1897, largely through the support of the League of American Wheelmen. In New York the Higbie-Armstrong Law, providing for State aid, and making appropriations for its establishment, was passed during 1898. The passage of this law was championed by Mr. Potter, the present president of the L. A. W., who is an earnest Good Roads worker. Massachusetts has done a great deal to assist in the building of good roads through State aid. There the State pays three-fourths of the entire cost of the improvements; and large appropriations for the purpose have been made by almost every legislature for a number of years. In some of the Northwestern States constitutional obstacles to the

establishment of State aid are beginning to be removed. Minnesota passed such a constitutional amendment at her last State election by a large majority. A similar amendment passed the Wisconsin Assembly at the last session, but was defeated in the Senate from political motives. In all these States the League of American Wheelmen is largely responsible for what has been accomplished.

The farmers of the United States are beginning thoroughly to appreciate the need of better highways; and the work of the League of American Wheelmen in the direction of State aid is receiving much support from the more progressive among them. The Farmers' National Congress last December passed resolutions strongly endorsing State aid as the solution of the Good Roads problem; emphasizing the great need of better country highways and the inability of the agricultural districts alone to pay for them, and commending the efforts of the League of American Wheelmen to bring about the general introduction of the State Aid system. This body, made up of delegates appointed by the governors of the several States, is considered the most powerful agricultural association in the United States, and was declared by Congressman William H. Hatch, for many years Chairman of the House Committee on Agriculture, to have more influence with Congress than all other agricultural organizations combined. The National Road Parliament, consisting almost entirely of farmers, which was organized some years ago by Gen. Roy Stone, at the instance of the Department of Agriculture, passed similar resolutions at its last annual meeting, in October, 1898. The feature of the State Aid system which appeals most strongly to farmers is the fact that city taxpayers—especially the large property-holders and the wealthy corporations holding valuable franchises in the State—are made to contribute to the cost of improved country roads, through the medium of the taxes and license fees which they pay into the State treasury.

The enormous agricultural wealth passing over our country roads to the cities has largely made these cities what they are to-day. Both in their own interest and in fairness to the farmer, the cities can well afford to aid the latter to a reasonable extent in providing suitable highways for this traffic. It is wrong to leave the burden entirely on the farmer's shoulders. In the language of Gen. Stone:

"The farms of the United States are between one-fourth and one-fifth of the whole property of the country,—probably not more than one-fifth,—yet that one-fifth is providing the primary highway for transportation for the whole country. In the State of New York this burden is borne by less than one-tenth of the property of the State."

OTTO DORNER.

SOME JAPANESE WAYS.

In the present sketch, which is based upon personal experience acquired during seven years' residence in Japan, I shall give a brief description of the Japanese home, and tell just a little of how Japanese gentlemen spend their leisure hours.

As for the Japanese home, it may be said that the houses have practically no outer walls. The floors of the living rooms are covered with soft, thick mats called "tatami." These mats, which are made of straw, are of uniform size,—about 6 by 3 feet,—whether for use in the Imperial Palace or in the hovel of a baker. They differ, however, in thickness, style, and finish. A room, no matter what its size or purpose, is never spoken of as so many feet long and wide, but as of so many mats. The main auditorium of the Nishi Hon-gwan-ji temple at Kyoto measures 136 feet in length by 93 feet in breadth; and the floor covers an area of 702 mats. Shoes are always—or ought to be—laid aside when one steps into the house; so that these mats are usually clean and neat. They require constant attention, however, as they are liable to become damp and musty in rainy weather. Upon these mats the people eat, sleep, and die: they represent the bed, the chair, the lounge, and, sometimes, the table, combined.

Of furniture, as we understand the word, there is none; so that, to a newly arrived foreigner, the rooms present a singularly bare appearance. They are not altogether without ornament, however: for in the larger ones, and particularly in the apartment which may be styled the parlor, or guest-room, there is in one corner a small alcove containing an ornamental piece of pottery or a bronze; and on the wall of the alcove a scroll picture will be seen.

The bed is made up on the floor-mats in any part of the room which may suit the whim or convenience of the occupant. One or more lightly or heavily wadded quilts are spread to lie upon; and others of similar size are supplied for coverings. The common quilts are wadded with cotton, and are stiff and uncomfortable; while the best, which are made of silk, are wadded with floss silk. Sheets are not used. The pillow may be simply a block of wood, with a small cylindrical

cushion on top, over which is sometimes tied a fold or two of soft paper, simulating a pillow-case, and possessing the advantage of being easily changed. It may contain a drawer for toilet accessories. The better classes of the Japanese divest themselves of their day clothing when they go to bed, and don a robe, similar in style to the outer one of the day, the *kimono*. In cold weather a large, heavily quilted garment is worn at night. Besides the very hot bath, the charcoal brazier is the only means the Japanese employ for supplying artificial heat. Early rising is the custom in Japan, as in China; and the people are abroad soon after sunrise.

The Japanese have the reputation of being extremely clean; but I wonder if they really deserve it? It takes but a few minutes to change from the sleeping-clothes to those to be worn during the day; and the morning ablutions are completed when the face has been washed and the teeth brushed. True, they do take a hot bath every day, when they can get it; but water without soap does not suffice when one wears the same clothing for weeks together. Sir Edwin Arnold's enthusiasm over the fragrance of a Japanese crowd has caused more mirth and has been more ridiculed than any other of his many extravagant speeches about Japan and the Japanese.

The people eat very much less meat than do the Chinese, many of the laity abstaining altogether from animal food. Rice is the staple; fish, both fresh and dried, is eaten whenever obtainable; vegetables, either fresh or pickled, are numerous and palatable—except the evil-smelling *daikon*, a turnip-radish, which, when pickled, outvies the rankest *Sauerkraut*. Among the poor, millet or some other cheap grain is substituted for rice. But the food fails entirely to satisfy our palates; and, as has been aptly remarked: "After a Japanese dinner, you have simultaneously a feeling of fulness and a feeling of having eaten nothing that will do you any good." This is due to a lack of nitrogen and fat, and to the non-use of salt in preparing the food. The Japanese themselves get sufficient salt from their pickles; but no ordinary European can stand them. The Chinese *cuisine*, while less inviting than that of Japan, is much better adapted to our needs. An American might live for years in China upon the native food alone: under similar conditions in Japan he would die of dyspepsia.

One seldom sees nowadays the old style of dressing the hair, in which the middle of the skull from the crown to the brow was shaved, and the back hair drawn forward in an unbraided queue just long enough to reach to the forehead. But some of the fishermen and farmers in remote

districts, which the influence of foreign customs has not yet reached, still wear the hair in that way; and one does occasionally meet, even in Tokyo, an ultra-conservative old fellow who sticks to the ancient fashion.

The Japanese costume is so familiar to most people as to need no description here. It seems almost a pity that, since the native garb is both elegant and thoroughly sanitary, so many of the men should now dress in the European style. Moreover, European dress is inconvenient for the changing conditions of life. Trousers and tight coats make it almost impossible for a man to assume the position the Japanese take when they sit upon their mats; and in the relaxation of home even those who have adopted the foreign dress change to the *kimono* for comfort.

The Japanese have been rightly called an undevotional people. The two religions, native "Shinto" ("Way of the gods") and exotic Buddhism, are so strangely mixed in their lives, that the number of pure Shintoists or pure Buddhists, outside of the priesthood, must be extremely small. The only exception is the province of Satsuma, from which the Buddhist priests have been rigidly excluded ever since some of their number betrayed the head of the clan into the hands of Hideyoshi, in the latter part of the sixteenth century. There are usually to be found in each house a shelf, upon which are Shinto emblems, and a Buddhist shrine. A little lamp burns constantly before the former; while incense is burned occasionally at the latter. These domestic accessories to religion seem to be provided principally for the female members of the household, the men paying but little attention to them. Yet even those men who profess to scoff at religion are still superstitious enough to believe in omens, to consult fortune-tellers, and to go to a temple occasionally. I am not prepared to endorse unqualifiedly the statement, that for every class there is a special god in the Japanese Pantheon; but it would almost seem as if there must be. In Osaka I once saw, just after New Year's Day, a procession of women of the town going to a temple to pray for success during the year (!) It was such a gala occasion that spectators turned out in crowds; and a special force of policemen was detailed to preserve order.

On going abroad the Japanese greets his friends by placing his hands on his thighs and sliding them down toward the knees as he bends his body in a low bow; and, if it be before eleven o'clock, he gives a pleasant "Ohayo!" This means literally, "It is early!" but is the equivalent of our "Good morning!" To use this expression in the afternoon or evening, as many foreigners do who wish to show off a smattering of the language, is manifestly absurd. Another common salutation

is "Konniehi wa!" or "Good day!" Upon formal occasions, and when within doors, the people kneel and bow the head to the hands, which are extended before them; uttering indefinable expressions conveying every shade of meaning, felicitation, or condolence, according to a rigid school of etiquette in which children are as carefully taught as they are in the rudiments and finish of the language. As in China, these expressions are self-deprecatory and laudatory of the person addressed. There is, however, nothing in Japanese etiquette so abject as the Chinese *kotow*.

If the man be one of the merchant princes, he goes from his residence in the aristocratic quarter to his office in the business centre, where his clerks will have arranged his desk for him; but if he be an ordinary tradesman or shopkeeper, he goes from the living apartments at the back of the building to the store in front, and himself takes a hand in preparing for the day's work.

It has been appositely remarked that the Japanese play at business, as they do at life generally. It is not with them, as it is with the Chinese, a serious matter, in which centuries of training have wrought the exactness of commerce. Until less than forty years ago trade was considered positively degrading; and in the social scale the gap which separated the tradesmen and shopkeepers from the *eta*—the pariahs and scavengers—was narrower and less plainly marked than that which existed between the tradesmen and the farmers, who were reckoned of considerable importance. Some of the latter were even permitted to wear swords. No one then respected the word of a man engaged in trade; and it was not to be expected that this feeling, which grew stronger and stronger during the centuries since the establishment of the feudal system and the ennobling of the art of war, could be effaced in the short time which has passed since the reorganization of the government and the readjustment of classes. Every foreigner who has engaged in commercial enterprises in Japan knows how exasperating are the flippant reasons given by the native merchants for breaking a contract or for delaying its execution.

The profession of law has been raised to the dignity it holds with us; and the courts are organized in very much the same way. Many members of the Japanese bar are recognized by the world as masters of jurisprudence. The medical profession, too, is now comparable with our own; and the names of some of its members have a world-wide reputation. There are, however, still too many who adhere to the old-time, empirical methods; and charms are worn to prevent or to cure

every ill to which flesh is heir. The priesthood remains as of yore. Most of the Buddhist cult are celibates; and none of them mingles in general society. The Shinto priests may marry; and, when not actually engaged in the services of the temple, they live pretty much as laymen.

The general holidays of the Japanese are numerous, and were formerly similar to those of China. Since the adoption of the Gregorian Calendar in 1873, Sunday has been kept as a holiday by the Government; but it is not a holy-day. Some confusion followed the change of calendar,—as, for example, in throwing the New Year, on an average, six weeks earlier. A few of the most conservative still hold to the old *régime*, and celebrate the New Year and other occasions by the lunar calendar: many give themselves the benefit of any doubt and keep the holidays by both calendars. While all the official holidays, especially those of the New Year, the spring and autumn festivals of the Imperial ancestors at the equinoxes, and the Emperor's birthday (November 3), are observed, it is probable that quite as much interest is taken by the people themselves in their own local festivals. The Gion festival at Kyoto, and the Sanno at Tokyo, which take place about the middle of July, and the Kanda at Tokyo, in the middle of September, are the most famous. All three are distinguished by processions, of which the chief feature is a train of enormously tall triumphal, or rather mythological, cars, called "dashi" by the Tokyo people, and "yama" or "hoko" by the Kyoto folk. In 1886 the prevalence of cholera led the Government to order the postponement of the Gion festival at Kyoto until the scourge had abated; and that year it was celebrated with unusual pomp in connection with the festivities attending the Emperor's birthday. I was so fortunate as to witness that *fête*, probably the last with so much elaboration; for, since the height of the cars has been found to interfere with the telegraph, telephone, and electric-light wires that now spread their webs over the great cities, all three are doomed to disappear.

The favorite amusements of the Japanese have been described by Chamberlain as follows:

"the ordinary theatre; the No theatre, which is attended by the aristocracy only; wrestling matches; dinners enlivened by the performances of singing- and dancing-girls; visits to temples, as much for purposes of pleasure as of devotion; and picnics to places noted for their scenery, especially to places noted for some particular blossom, such as the plum, cherry, or wistaria. The Japanese also divert themselves by composing verses in their own language and in Chinese, and by playing chess, checkers, and various games of the "Mother Goose" description. Ever since the early days of foreign intercourse, they have also used certain kinds of cards, of which *hana-garuta*, or flower-cards, are the most popular kind,—so popular, in-

deed, and seductive, that there is an official veto on playing the game for money. . . . Poker, whist, *vingt-et-un*, horse-racing, circuses, quadrilles, etc., have begun to establish their claims. Even shooting and lawn-tennis have their Japanese devotees; but, for the most part, the interest taken in field-sports is languid and not likely to endure."

The aspect of a Tokyo ball-room has been amusingly described by several writers. Netto says:

"At these festivities Japanese ladies and gentlemen are to be seen taking part in the dancing, especially in the square dances; but most of them show by the expression of their faces that they are making a sacrifice on the altar of civilization."

The young men—especially those who attend the Government schools and colleges and the many private schools of missionaries and other foreigners—are taking an active interest in athletics; and some good games of base-ball and cricket may be seen. Nor are their regattas by any means to be despised. The prowess shown by a number of the Japanese who have attended our colleges is familiar to all. The old game of polo, as played by the Japanese, was a most exhilarating sport, and sufficiently perilous to satisfy the demands of our enthusiasts. It is played occasionally now, but in a more or less modernized form. Japanese gentlemen do not take kindly to any active sports when years and dignity have laid heavy hands upon them.

To show how Japanese gentlemen sometimes amuse themselves, I may cite the following. While connected with the Third Higher Middle School, when it occupied buildings near the Castle in Osaka, I was called on one afternoon by one of my scholars, who had been sent by a gentleman to invite me to spend the next day with him and some of his friends in the pursuit of pleasure after the Japanese fashion. I was told that my host would send for me about nine o'clock and that my young pupil himself would be in attendance to act as interpreter, in case my knowledge of the language was insufficient to assure me that clear understanding of the conversation and of the play—the theatre was to be the scene of our frolic during much of the day—which would be essential to my enjoyment. The invitation had been accompanied by one of those pretty boxes of sweets which the Japanese so often send in such cases.

Next morning, promptly at the hour named, arrived a handsome jinriksha, drawn by two men in livery; and I was taken to my entertainer's town house, where I met some of his friends. We were served with cigarettes, tea, cakes, and a tiny cup or two of the finest *saké*. At eleven we went to a very fine restaurant, one of those which, while

retaining the native menu, have introduced many details to contribute to the comfort of foreign guests. I was, however, a little disappointed. We were shown to a large apartment overlooking a pretty little garden. This room was furnished more than one usually finds such places: for there were hemp rugs on the floor over the mats; the paintings on the *fusuma* (the sliding panels which serve as partitions between the rooms) were exceptionally fine; and the *ramma* (the carved open-work dados) were beautiful specimens of the cabinet-maker's art. Pretty lamps, with electric lights, hung from the ceiling. We were seated on the small, flat cushions which served in lieu of chairs; small, low tables of convenient height were placed, one for each person; and the first course of an elaborate meal was served—a cup of *saké* and some comfits. Then the *geisha*, or professional singing- and dancing-girls, and the *sumisen* players appeared, to add to the entertainment. They did not devote themselves exclusively to their arts; for some of them helped in serving the *saké*, and engaged in conversation with us. I found the young woman who had been detailed especially to attend to me to be a remarkably bright person, well able to make me understand her conversation, and, what was even more satisfactory, able to understand my Japanese fairly well; so that while at the restaurant I had little occasion to call in the aid of my interpreter.

These *geisha* constitute such an important factor in the amusements of Japanese gentlemen, that a few words concerning them may not be out of place. Like the Greek *hetærae*, they are usually sold to their trainers when quite young (often at the age of seven) by their indigent parents, and are carefully educated in music, conversation, and dancing. They are always handsomely dressed, but in showy materials, and in a peculiar style which distinguishes them from respectable women, who invariably wear plain clothes of subdued colors. The life, once entered upon, is difficult to escape from; but, so far as the girls are personally concerned, no disgrace attaches to them. If a man ransoms one and marries her, she takes his rank and station without any stigma attaching to her. I have met in the highest Japanese society women who had been *geisha* for a time, but who were received as their husbands' equals without a question being asked as to their antecedents. It is a curious phase of society.

At about 2 P.M. the bowl of plain boiled rice and the cup of tea, which mark the end of a feast in Japan, as in China, were served; and we were then asked to get ready for the theatre. Unlike China, buildings used expressly for Thespian purposes are common in Japan, although

out-of-door performances on a temporary stage are also given. The theatres of Osaka are in the Dotom-bori district, and are surrounded by side-shows of every description. We went to the largest and best,—a plain wooden building, not in any way attractive as regards its exterior, nor ornamental in its interior. The auditorium is a large, square room; the flat floor being divided into many small sections by low railings, each section accommodating six or eight persons, and being equipped with mats. A party may hire a section; or single tickets may be bought, the holder taking his chance of getting a place where he can. Ushers are in attendance, also peddlers of play-books, fruit, and lunches; for a theatrical day is a long one, lasting from early morning until late at night. The flatness of the floor is no obstacle to vision, as the stage is high enough for all to see well. Surrounding the pit is a gallery divided into boxes; and one of these had been reserved for our party. A couple of red blankets had been spread to protect the mats; and chairs were provided for our comfort,—a thoughtful concession to the stiff joints of the foreigner, although tending to make him unpleasantly conspicuous. The stage was a revolving one; and the scenery and accessories, while decidedly crude, were a marked improvement over the bare theatres of China. The plays—for we saw a part of two—were amusing comedies, bordering on the farce. Everybody smoked, women as well as men; and at intervals tea and sweetmeats were served to our party. Some of the most effective entrances of the performers were made from the rear of the building, along narrow aisles raised a little above the floor; and I noticed that some of the spectators sat along the edge of the stage, as they used to do in England in Shakespeare's time.

Our *geisha* accompanied us from the restaurant; and mine appeared to be highly amused that I understood so much of the play. I confess that the acting helped me,—particularly an exclamation of a shipwrecked mariner, who, finding himself cast up by the waves on a rocky island, cried out that he wondered where he was: "It may be Europe, or America, for all I know!" At about six o'clock one play ended. The actors suspended operations for supper; and we went to a restaurant next door for ours,—another elaborate meal, at which I learned why I had been asked if I were fond of eels *à la Japonaise!*

We returned to the theatre about half-past seven, to find another play going on. I stayed until ten, when I thought I had had enough and went home. My host appeared to be a little disappointed at my early departure, and expressed regret at his failure to afford me enjoyment. I assured him that he had been eminently successful. During

the entire day nothing was said or done which could offend the eyes or ears of the most refined; but when my student-friend informed me a day or two afterward that they had kept it up until two in the morning, I concluded that, after I had left, the fun had become fast and furious.

The foregoing description may be taken as a rough outline of what is considered a day's pleasure by the fast set. A more refined way of passing a holiday is to go to some suburban temple, garden, or grove, with luncheon, to enjoy the scenery, the flowers, and the budding trees. Practically, all Japanese make these pleasant pilgrimages at stated times. First there are to be seen the plum-trees, which send out their hardy blossoms before winter has entirely loosened its icy grip; then the famous cherry-blossoms (it should be noted that these are the large double flowers, which do not develop fruit); afterward, in succession, come the azalea (fancy a whole mountain-side covered with these blooms!), the tree-peony, the wistaria, the convolvulus, the lotus, the chrysanthemum, and the lovely maple-leaves.

It cannot be denied that the cup which inebriates, while it may cheer momentarily, plays a conspicuous part in these "flower-viewing" picnics. This evil is growing each year, because the mild *saké* of earlier days is being fortified with alcohol, often the very worst kind of wood alcohol; and strong foreign beers, wines, and spirits are becoming too popular. It used to be a pleasure to mingle with the Japanese on one of these flower-viewing occasions; but to-day it will bring to the intruding foreigner insult and rough language from the tipsy crowd. I think that all who have carefully observed the Chinese and the Japanese in their native environment will agree with me that the Japanese of to-day are more dissipated, more truculent, and more ill-mannered than the Chinese.

A ceremony which gives amusement, and which is still patronized by Japanese gentlemen of wealth and refinement, is called by them "Cha no yu," or, as it has been rendered in English, "the Tea Ceremony." This is a survival of feudal days, when, in times of peace, there was little for the minor Daimyo, who were not invited to take part in the administration of affairs of State, and the Samurai to do, since few of them had any taste for letters, and could not spend *all* of their time in military exercise; while it was entirely beneath their dignity to engage in anything like commerce. It is difficult to determine whether much is lost or gained to the Japanese people by abandoning this ceremony. Certainly there is loss of those æstheticisms which do little harm, while there may be gain in doing away with the dawdling which marks the

Cha no yu. This ceremony, which has been observed for about eight hundred years, originated with the Zen sect of Buddhists in the latter part of the eleventh century of our era; but it had no special significance for them, and was simply a social way of using an infusion of tea to keep them awake during their midnight devotions.

In the early part of the fourteenth century the *Cha no yu* had attained the height of luxury; and in the latter part of the sixteenth century Hideyoshi, the famous Taiko Sama, gave to the ceremony the finishing touches of æstheticism, stripping it of all meretricious display. Under his command Sen-no-Rikyu, a name which every Japanese enthusiast reveres, collated, purified, and, so to say, codified the Tea Ceremony, stamping it with the character which it has ever since borne. Simplicity had long been compelled by the poverty of the country, exhausted as it was by ages of warfare. He raised this simplicity into a canon of taste as imperative as the respect for antiquity itself. The worship of simplicity and of the antique in objects of art, together with the observance of an elaborate code of etiquette—such are the doctrine and discipline of the Tea Ceremony in its modern form, which has varied but little since Sen-no-Rikyu's day.

It is still considered good form for enthusiasts to join the Zen sect of Buddhists; and it is from the Abbot of Daitokuji at Kyoto that diplomas of proficiency are obtained. In the establishments of most of the wealthy men there is a tiny detached building of only a few mats, to which the celebrant and the participants make their way, clad in the plainest garb; keeping a certain prescribed, mincing gait, and patterning their conversation after fixed rules. In other houses there is a special room, the *cha-beya*. The tea is made and drunk in an exceptionally slow and formal manner, each action and gesture being fixed by an elaborate code of rules. Every article connected with the ceremony, such as the tea-canister, the one large, rough, hand-moulded cup, the incense-burner, the hanging scroll, and the bouquet of flowers in the alcove, is either handled, or else admired at a distance, in ways and with phrases which usage prescribes. Even the hands are washed, the room is swept, a little bell is rung, and the guests walk from the house to the garden and from the garden back into the house, at stated times and in a stated manner which never vary, except in so far as certain schools, as rigidly conservative as monkish confraternities, obey slightly varying regulations of their own, handed down from their ancestors, who interpreted Sen-no-Rikyu's ordinances according to slightly varying canons of critical explanation.

The tea used is not in the form of leaves, but is of a certain green kind, ground to a fine powder in a mortar. This, after the addition of the proper quantity of water, boiled and cooled a little, is whipped up with a split bamboo implement until it resembles in color and consistency frothy pea soup. Some foreigners say that the ceremony is lengthy and meaningless, and that, having been once witnessed, it becomes intolerably monotonous; and many *fin-de-siècle* Japanese ridicule it. Personally, I did not find it so. I was always glad of the opportunity to attend.

But, perhaps, my chief delight came from the subsequent inspection of the curios and art treasures which the master of the house brought out from his fire-proof storehouse, where he carefully kept them in boxes, or wrapped in countless folds of cloth, or in handsome brocade cases. These opportunities to study what the Japanese themselves consider art—and how very different the specimens were from the motley collections in certain so-called “Japanese rooms” in this country!—I look back upon with intense satisfaction.

The end of the day in Japan is marked by the bath before the evening meal. It is always taken hot, about 110° Fahrenheit, and is so usual that in the city of Tokyo there are some eight hundred public baths, with separate pools for the two sexes. In former times, however, they used to bathe together, and that, too, without scandal. In every respectable private house there is a comfortable bathroom, the tub of which is equipped with a furnace; so that the water is heated in place, and the same water serves for the whole household. As soon as the bath is ready, the gentlemen guests are invited to enjoy it; then the men and boys of the family take their turns; afterward the women-folks; and finally the servants; although these last are sometimes required to go to the public baths.

The thought of a person bathing in water which has been used by another is not pleasant, but is rendered less revolting from the knowledge that soap is not used; while this same knowledge detracts somewhat from the validity of the claim that the Japanese are such marvellously clean people.

In closing this sketch I may say that, were I seeking commercial life, I should greatly prefer to live with the stolid, honest Chinese than with the flippant, weak Japanese; but were I seeking pleasure, or studying art, I should go to Japan.

JOSEPH KING GOODRICH.

QUARANTINE AND SANITATION.

It will be my purpose in this article, first, to show that sanitation receives its primary impulse from quarantine, and follows it in natural sequence, whether considered from a local, municipal, State, or national point of view, and, second, to discuss the proper field of operation to be covered by local, municipal, State, and national authority. All are doubtless familiar with the quarantining of a room wherein a case of measles or scarlet fever is confined, or of a house whose front door is placarded with a warning on account of scarlet fever, diphtheria, or small-pox. Many, also, have observed the precautions taken to prevent the spread of typhoid fever; including, under municipal regulation, not only the disinfection of dejecta, but the examination of drains and sewers and the closing of infected wells, the source of water-supply, by local boards of health. The step from quarantine to sanitation here is a short one.

Now, while there are some who seem to think that these measures—affecting so closely the individual—should be supervised by a great central bureau, they are at present, and always should be, under the direct control of local or municipal governments, which are as capable to manage these matters as they are to manage their police and fire departments. The general sanitation of towns and villages, including systems of sewerage, disposal of garbage, water-supply, house draining and plumbing, ventilation of school-houses and other buildings, examination of the milk-supply, proper disposal of the dead, enforcement of the disinfection of dwellings after the ordinary contagious diseases, such as scarlet fever and diphtheria,—all these and many other functions of like character are matters with which the United States Government, under the Constitution, has nothing to do; and they properly belong to municipal governments, which derive their charters from their respective States.

Anyone consulting the annual reports of the health departments of our leading cities will be impressed with the care and labor bestowed on their work; but the operations of these departments would be better and more easily accomplished if there were a stronger sentiment of approval and endorsement by the people. Just as all governments derive their just powers from the consent of the governed, so sanitary regula-

tions may be taken as an index of the desire of the people; and it may almost be said that the degree of prosperity, cultivation, and refinement of any city is indicated by the care which is given to the enactment and enforcement of its sanitary regulations. This demonstrates the necessity, on the part of the people, of upholding the hands of physicians and others who are engaged in work pertaining to the public health, the suppression of contagious diseases, and the enforcement of necessary sanitary measures. It is the duty of the general practitioner, whose relations are more intimate with the people than those of the health officer, to cultivate a sentiment of respect for the efforts of the latter; for it is from the people that the sanitarians must derive their power for good. General practitioners should take an interest in the labors of these their *confrères*, as well as in the formation of local boards of health, in order that good men may be appointed; and all their influence—professional, political, and social—should be given to the support of these boards and their officers. A strong public sentiment should be encouraged, to the end that municipal cleanliness may rank as one of the foremost features of municipal government.

One of the most notable events of the past decade was the review in New York city, some two or three years ago, by the Mayor and other officials of the metropolis, of its neatly uniformed street cleaners,—the “Waring Brigade” as they were called,—organized and conducted by that eminent promoter of sanitary reform, Col. George E. Waring, Jr., who recently sacrificed his life in the performance of his duties as a public sanitarian. His conduct of his army of street cleaners really marked an epoch in municipal sanitation in the United States; and the example set by him has been followed in a number of other cities, where the so-called “White Wings” may now be seen at work.

STATE BOARDS OF HEALTH.

Now, there are some questions of sanitation concerning which municipal authority finds itself deficient in legal power, or as to which there is doubt regarding the expenditure of municipal funds,—questions involving the relations of one municipality to another, and requiring consideration by some official body representing the authority of the State. Nearly every State, therefore, has its board of health, to act where municipal authority fails, to harmonize conflicting interests, to encourage local boards and to exercise supervision over them, while allowing each independence of action to fulfil without restraint its local functions.

The State organization is the medium through which relations are sustained with other State organizations and with the National Government. Every encouragement should be given to the development and perfection of the State boards of health; and the legislatures of the respective States should be liberal in their endowments.

To show the sequence of public health service to quarantine, it may be mentioned that the first State boards of health were organized largely on account of the quarantine service, and only subsequently developed their other and more appropriate functions. With the development of national quarantine their quarantine functions have become less important; and with the perfection of national quarantine their maritime quarantine functions should be entirely removed. Maritime quarantine is a function of the Treasury Department of the National Government; and its exercise by State or local health organizations diverts the efforts of these bodies from what should be their essential functions. For example, until about a year ago the so-called Louisiana State Board of Health was little more than a quarantine board for New Orleans, with no authority whatever in the parishes of Louisiana. Divest the State boards of their maritime quarantine duties, and they will devote themselves to their legitimate ends; such as the perfection of morbidity and mortality records throughout the State, sanitary engineering, filtration of water-supplies, suppression of the ordinary epidemic diseases, the development of laboratories, the suppression of quackery, the supervision of the practice of medicine, and the management of State hospitals and of State institutions for the care of the poor and the insane.

The question of smallpox in the United States is illustrative of the foregoing. It is evidently the duty of each State to suppress this disease within its borders; and most States do give it the attention it deserves. But there are other States which, either through faulty organization or because their legislatures do not appropriate the necessary funds, are powerless to suppress this disease; and, since its prevalence endangers neighboring States, the National Government is obliged occasionally to take charge of local epidemics. Some of the most strenuous opponents of national maritime quarantine have been certain health officers who have been utterly unable to suppress smallpox raging within their jurisdiction; and the rather remarkable situation has been developed of appeals being made by the mayors and local boards of health urging the Marine-Hospital Service to suppress smallpox in States whose health officers have been most pronounced in decrying so-called Government interference in maritime quarantine.

Smallpox is so easily prevented by vaccination that one afflicted with it meets with scant sympathy; and the improvements in the preparation of pure vaccine lymph have been so great that the fear of untoward results from vaccination is unwarranted. Further, the spread of smallpox is so easily prevented, under proper and vigorous management, that it is discreditable to any State or locality to allow the disease to get beyond control. If the inability to manage it is due to a want of funds, then this lack is discreditable to the legislative bodies of the infected States or localities. The Marine-Hospital Service has suppressed a number of local epidemics of smallpox, and is ready at all times to send expert assistance to advise in preventive measures; but operations involving the expenditure of money are undertaken only when necessary to prevent the spread of the disease from one State to another.

The above remarks demonstrate clearly, to my mind, both the important functions of local boards of health and the necessity of developing and strengthening the State boards of health.

NATIONAL QUARANTINE AND SANITATION.

Now, maritime quarantine, as a national function, is maritime sanitation, and is intimately connected with the sanitation of seaports. It is the sanitation of ships, of merchandise, and of personal effects. In interstate quarantine it is the sanitation of common carriers, merchandise, and personal effects; and, as illustrating its intimate association with the sanitation of towns, reference may be made to post-epidemic disinfection by the Marine-Hospital Service of towns and cities in the South after the yellow fever epidemic in Jacksonville, Florida, in 1888, in Brunswick, Georgia, in 1893, and in the States of Alabama, Mississippi, and Louisiana in 1897. As a quarantine measure, too, it will be the duty of the present Government to insist on the sanitation of Havana and other Cuban cities, and, in due time, of every city in the western hemisphere which is known as a yellow-fever-breeding port. These matters should be, and are, the care of the National Government; the Marine-Hospital Service being charged with the duty of preventing, through the operations of the national quarantine law, the introduction of disease from foreign lands.

Until 1893 there was, properly speaking, no national system of quarantine. All previous legislation had required only that assistance should be given to State or local quarantines; and each State and locality had its own quarantine requirements,—some good, some bad, some made

strict enough to keep out disease, and others purposely weak, to attract, as it were, commerce to a more favoring port. At least half a dozen conventions were held by State health authorities, both before and after the War of the Rebellion, to bring about uniformity; but all efforts failed until Congress enacted the law of 1893. This was a great advance in national quarantine; and under its provisions regulations have been promulgated. But the law requires a demonstration of inefficiency of management on the part of the local authorities before the National Government can assume control at a given port. This demonstration of inefficiency is precisely what should not be allowed. The law requires the Government to aid State and local authorities in the execution of their own regulations, which are sometimes unwise. It should require the local authorities to aid in the execution of the Government regulations. It does not provide that, when the national quarantine officer has inspected a vessel, such inspection shall be final; nor does it provide penalties for the infraction of the national regulations.

These are the defects which are sought to be remedied by the Bill introduced into the Senate by Mr. Caffery (S. 2680) and in the House of Representatives by Mr. Hepburn (H. R. 4363). This Bill provides, also, that during yellow fever epidemics the President may prohibit travel and traffic, except under safeguards imposed by national authority. At the same time, to obviate interference, by unreasonable local quarantines, with commerce and mail passing from one State to another, it grants authority for travel and traffic after application of the necessary sanitary measures. The Bill has received the endorsement of the Secretary of the Treasury, and has been reported on favorably by the committees of the Senate and of the House, the House Committee having given hearings on it extending over two or three months. With regard to maritime quarantine, the Bill, which is simply an amendment to the present law, makes the national regulations paramount. Maritime quarantine is a regulation of commerce over which, under the Constitution, the National Government has absolute control; and it naturally belongs to that department of the Government invested with the power of regulating commerce in other respects. It is a function of the Treasury Department.

The Treasury Department has charge of the registry of all merchant vessels of the United States; inspects their hulls, boilers, and machinery; determines the number of passengers that may be carried; provides for the housing and rations of the crews; examines pilots on American vessels before granting them licenses; supervises immigration; enforces

navigation laws; aids vessels in distress through its revenue-cutter service; provides lighthouses, and marks the channels with buoys; makes the soundings and furnishes the charts of our coasts in further aid of vessels; and provides for the sick and injured of the merchant marine. Why then should it relegate to a State or local authority the sanitary inspection of a vessel on its arrival, or the power to determine whether the people and merchandise on these vessels, destined to all points in the United States, shall be permitted to enter with or without detention?

Maritime quarantine actually begins in foreign ports. Under our present law, the United States consul—a government official—issues a bill of health. In times of danger medical officers of the Marine-Hospital Service are detailed to serve in the office of the consul to enforce the Governmental health regulations; and immigrants arriving on this side are by law required to be examined by medical officers of the Marine-Hospital Service, to prevent their bringing contagious disease. These provisions are in themselves national quarantine. Prior to 1891 the surveillance over immigration was left to State commissioners at the several ports: but in that year Congress placed the whole matter in charge of the Treasury Department; and no one will deny the benefits resulting from the change.

Notwithstanding the above argument, the quarantine Bills introduced into Congress, and already referred to, do not abolish or interfere with efficient State or local quarantine establishments. They require simply that these establishments shall execute the national regulations; and it is only in the event of inefficiency that the Government intervenes. They enable the Government to establish quarantines at places where they are deemed necessary by the Secretary of the Treasury.

In addition to the twelve national quarantine stations operated by the Government, there are a number of State quarantines well equipped and conducted. Some of these, as at Boston and New York, have been established at great expense, and are efficiently equipped; and the quarantine Bills referred to do not disturb them, leaving it to the discretion of the municipal governments themselves to determine when they may choose to be added to the national quarantine stations. Overtures have been made by certain quarantines to this end, inasmuch as a national station is supported by a Congressional appropriation, and relieves the shipping of the port of quarantine fees.

Now, there is annually introduced in Congress some Bill looking to the establishment of a new bureau of public health; the authors laying stress upon the name of the Marine-Hospital Service as not indicating

any public health functions, and claiming that it was originally established for the relief of sick and disabled seamen of the merchant marine. This latter statement is true. But the service was established a century ago; it is now in its centennial year; and during the past one hundred years it has grown, just as other branches of the Government have grown. During my twenty-two years' connection with the Service I have seen many important functions added to it. The fact that it has the care of twenty marine hospitals and of one hundred and fifty other relief-stations, with a corps of seventy-eight commissioned officers and one hundred and thirty-six non-commissioned officers, specially trained in the performance of duties akin to those of quarantine, is considered to be, instead of an objection, an additional reason why the Service should be charged with quarantine duties. Nevertheless, these Bills to establish a new bureau of public health, providing as they invariably do for large representation from the States and local governments, naturally receive the endorsement of such bodies.

Another contention is, that what is needed is sanitation and not quarantine. Yet, with strange inconsistency, two-thirds of the provisions of these Bills always relate to quarantine; taking it out of the hands of the Marine-Hospital Service, although the latter has had the management of it, so far as national law permitted, since 1878, with the exception of four years (1879 to 1882), during which a national board of health was in operation by Act of Congress. This board, however, was discredited and discontinued by Congress. Some of those most earnest in accomplishing its downfall are now the advocates of a similar board. The Marine-Hospital Service, despite its name, has continued to exercise quarantine and other functions, and has been the only medium through which real progress in the matter of national quarantine has been accomplished. The so-called public health Bills are retrogressive in this respect, as they are necessarily framed with a view to securing the assistance of local quarantine authorities in their passage.

The Marine-Hospital Service has simply executed to the best of its ability the duties imposed upon it by Acts of Congress; and in the report of a committee on a department of public health presented to the American Medical Association in May, 1896 (which report was adopted), the declaration was made that the Marine-Hospital Service

"was, by the Act of 1893, converted into a national health department, with very large and far-reaching powers and abundant means. It is not called a department of public health, but is a department of public health in fact."

In a letter to the Chairman of the Committee on Interstate and For-

eign Commerce of the House of Representatives, January 3, 1894, the Secretary of the Treasury, commenting on one of these Bills to establish a bureau of public health, said :

"The Bill does not establish a bureau of public health, as that term is generally understood, or, if it does, then a bureau of public health already practically exists in the Marine-Hospital Service, which is now exercising every essential function that is provided by the Bill."

In illustration of this statement, I shall only briefly allude to measures other than quarantine and marine-hospital relief which are receiving the attention of the Service. These are special investigations in the perfectly equipped laboratory of the Service into the causes and nature of disease; a commission appointed by the President to investigate yellow fever in Havana; the weekly publications of the bulletins of public health; and investigations of the pollution of water-supplies and of the prevalence of leprosy. Bills specially authorizing these last two measures are now before Congress.

To enumerate the steps now being taken to prevent the introduction from abroad of contagious diseases would extend this article beyond its proper limit; but it may be said that very unusual measures are now being perfected with regard to the prevention of the introduction of yellow fever next summer. Quarantine measures, as stated at the outset, are followed in close sequence by sanitation; and, in the efforts to prevent an invasion of yellow fever, the Government is not losing sight of the necessity of sanitation in Cuban seaports.

There is little doubt that, with American predominance in the Island of Cuba, the dreaded scourge of yellow fever will be suppressed and will, in course of time, almost, if not entirely, disappear. But a still further advance should be made. That great pestilential centre, Havana, even if purified and freed from yellow fever infection, will still be subject to reinfection from other ports in Central and South America, which are in almost as bad a condition. It is, therefore, worth serious consideration whether anything less than the total elimination of yellow fever from the American continents should be attempted; and it should be remembered that this disease is practically limited to the western hemisphere.

It is not pure optimism to suppose that an international sentiment may be awakened which will cause yellow fever in a given port, and the faulty sanitation which it implies, to be an opprobrium upon the Government in possession of the offending port. Every nation should be held responsible for conditions, within its borders or dependencies, tending to propagate epidemic diseases and to threaten other nations

with which it expects to maintain a friendly commerce. As soon as the cities of our own dependencies are freed from fever by sanitation, it would be appropriate for this Government to invite in convention representatives of each of the other American republics; the convention to be composed of public sanitarians, civil engineers, and financiers, whose duty it should be to prepare a treaty providing for the examination of the chief yellow fever ports by a commission representing the republics concerned. Each country should obligate itself to put into effect the measures recommended by this commission, or measures of its own which should meet with the commission's approval.

Since obligations without penalties would be worthless, the treaty should provide that if, after a sufficient time, these improvements are not made, each of the other nations interested should impose such discriminative tariff or tonnage tax or quarantine restraints upon the offending nation as would cause it in its own interests to comply with the terms of the treaty. Provision might also be made in the treaty that if, by chance, the necessary funds were lacking, a loan to provide them should be raised by *pro rata* assessment upon the other countries. This suggestion may seem to some impracticable; yet, when one reflects upon the constant dread, the great mortality, the burdensome restraints on vessels and persons, and the destruction of commercial prosperity, caused by this Western pest, no effort to suppress it can be considered too great. I am assured by those who are intimately associated with the representatives of the Central and South American republics in Washington that the plan is by no means impracticable, but is rather one which, if the initiative be taken by the great Republic of the United States, will be gladly and quickly entered into by the other republics of the western hemisphere.

It could be shown, in favor of such a treaty, how greatly it would benefit each of the countries entering into it, by relieving their commerce from present burdensome and expensive quarantine restrictions. Its effect would be far-reaching, and would mark an epoch in the matter of health laws and sanitation; for the improvement of harbors and cities, to prevent yellow fever, would bring corresponding improvement with regard to other diseases and would give an impetus to municipal sanitation everywhere. It would also have the effect of bringing closer together, commercially and socially, the great cities on this side of the Atlantic; so that we should feel a common friendly interest in freeing our commerce, our harbors, and our towns from this common enemy.

WALTER WYMAN.

CULTURE AND EDUCATION.

A WELL-KNOWN political economist once said, "The ultimate danger to society does not lie in the unequal distribution of wealth, but in that of culture. All social reform must begin its work here, and must regard it as its first duty to raise the standard of life among the lower classes."

What a splendid prospect for education is here presented! According to this view, the very future of a nation would seem to depend not alone upon the educational influence exerted by the adult population upon the young, but upon that of the educated upon the uneducated classes as well.

At the same time, a new task is imposed upon the nation's ministers of education; and the importance of this task becomes greater the more the development of individual branches of labor threatens to destroy the framework of society, to rend the nation asunder, and to force it into the fatal struggle of conflicting interests. Economic competition is urging nations to ever-increasing efforts; and the chief feature of the struggle is the exploitation of every available means regardless of principles. No consideration, it seems, must be shown to fellow-countrymen as such, the interests of fellow-workmen being regarded as paramount. Common economic problems are causing the removal of landmarks between nation and nation. Organized labor is becoming international, and is placing itself in opposition to capital, which, being identified with no particular country, is also preparing for organization on international lines.

Thus we see that not only are labor and capital arrayed against each other within the confines of one and the same country,—a condition already predicted by Fichte at the beginning of this century,—but that classes bound together by economic interests, in spite of all national differences, now stand shoulder to shoulder ready for the conflict. A remarkable transformation indeed! One involuntarily recalls Schiller's introduction to his "History of the Thirty Years' War," wherein he describes how states were drawn together by one common conviction, one similar profession of faith; how French Protestants felt themselves nearer to Germans of the same creed than to their Roman Catholic com-

patriots. An idea breaks down national boundaries, and, passing over them, shows itself stronger than national and political ties. But, whereas during the period following the Reformation it was religious belief which closely united those who were politically divided, in our own day—or, according to our reckoning, since the reestablishment of the German Empire—it is economic advantage which forms the bond of unity between the same classes of different nationalities. This is the issue that now divides the members of a nation into two hostile camps. At present the ascendancy of the one camp ever arouses the anger of the other; and thus not brotherly love, but hatred has become the order of the day. The nation suffers thereby; for we constitute one body, and are united by indivisible bonds. If one member is afflicted, the whole body necessarily suffers. We can no longer separate our fate from that of our fellow-countrymen. The misfortune of the oppressed is our misfortune; and the need of the poorer classes is our need.

Thus times change, but the principal features of the drama remain the same. In the seventeenth century, religion formed the centre of the struggle which divided states into factions and which gathered around its standard men of all nationalities. In the eighteenth century, philosophy ruled the intellectual world with a similar result; while during the first half of the present century natural science became the issue upon which men agreed or differed. All these questions have now been superseded by social science, which engages public attention in many and various directions. This is indicated by those barometers of society, women and poets; for these have now entered the ranks of the social reformers. Others also wish to enter into the discussion on state socialism, social reform, and the state of the future: they are anxious to lend their assistance in order that the social chasm may be bridged over. But is the latter at all necessary, or even possible? The present class distinctions have developed quite naturally; and, in consequence of such a development, we find united on the one hand, property and culture, and on the other, labor and lack of culture. Ought one therefore to strive against this fact; and is it possible to achieve anything toward the amelioration of the prevailing conditions?

Whoever, without further inquiry, accepts the axiom, "Whatever is, is right," will pass lightly over the matter, only seeing to it that he himself is on the right side. Indeed false piety, which has the name of God ever on its lips, even goes so far as to designate the present social classification as the "will of God." Others again, like Fichte, behold in it the preliminary to the nation's downfall, and are impelled by an

uneasy conscience and a stern sense of patriotism to hurl themselves into the abyss, in order that by self-annihilation they may help to close the gulf. The School has also been called upon to take its part in the solution of the great problem. Since the Napoleonic wars our educational institutions have considered it a self-evident duty to serve the country by instilling patriotic sentiments into the hearts of the young. But, after the reestablishment of the Empire, while the nation was still occupied with structural details, the question arose whether the School might not be made to serve the national ends in a better, fuller, and surer way than theretofore. The question was put concerning public education, "What are the great aims called for by the interests of the nation?" And the answer was, "All aims are contained in the two words, 'Character' (*Gesinnung*) and 'Health.'" These words are old acquaintances in educational circles. Since Herbart we know that the centre of instruction in all schools, primary as well as secondary, is represented by religion, history, and the mother-tongue. These three subjects are the chief factors used in the formation of character; and it is necessary that all other branches which have for their object the creation of many-sided interests should be closely connected with them. Indeed, although valuable heirlooms for generations, a right understanding of their worth is more important now than formerly; for they constitute the very basis of every form of education.

Hitherto the languages taught have determined the character of education, and, at the same time, have formed the dividing-line between classes of schools. It is necessary to-day, however, more than ever before, to call attention to the importance of those elements common to the education of all classes; viz., the cultivation of the religious sentiment, and the awakening of an interest in the history, language, and literature of the nation.

Our educational system must not be looked upon as a building of three distinct stories with separate entrances, but rather as a structure containing a central hall, accessible to everyone, in which all the elements requisite for the national education may be found. From this central hall passages lead to particular rooms, to which only privileged individuals can obtain admission. This hall is Teutonic, resting on the foundation of practical Christianity. Some of its architectural features can be traced back into antiquity; but the spirit which has raised the building is purely national. We have served our apprenticeship in the temples of the ancients; and now, having established ourselves in our own house, we are of an age to work out our own national culture.

The unity of a people must be reflected in the unity of its system of education, in the organic relation of all the separate parts of that system, and in a corporate spirit animating to great and definite ends all who consider it their calling to direct the education of the people. We must not suppose, however, that by these means we may effect a magical closing of the gulf between the masses and the classes. Generations will probably pass away before this can be done. Moreover, it will also be necessary to overcome that love of exclusiveness which is far too prevalent among the German people, and, more particularly, among the educators.

But what the schools *can* do to fit the rising generation for the reconciliation of the different classes of society must be done at once; and it must be done under the supposition that the early development of the social feeling will be of permanent advantage in later life. On this account, leaven must be put to work among the adult population as well as among the rising generation. The educated must become more and more conscious of their duties to the uneducated. People have always regarded divisions based upon mere outward advantages as detestable and pernicious, and the schools have long sought to inculcate the same lesson; but to-day the *reveille* is sounding louder than ever before.

Among the educated classes, and more particularly among the scholars, there are many who decidedly oppose this view. They decline to hear the awakening call for various reasons. Some say, the people are happier in a state of ignorance than with that enlightenment which often means half-education only: this they claim gives rise to desires which cannot be gratified, and in consequence engenders among the masses a discontent which tends to revolution and threatens the stability of the state. For this reason we frequently hear the cry, "Not culture for the people, but more religion." Those who take this position, and look upon themselves as the true champions of Christianity, do not even realize how unchristian, barbarous, and egotistic is this point of view.

Not less reprehensible is the opinion of those who believe that the torch of Truth is intended for an intellectual *élite* only, and that the smaller the circle it illuminates, the brighter its radiance. These persons live in constant dread that, if the light be carried into wider circles, it will begin to flicker. They contend that only the narrow circle of the initiated can understand the mysteries in their fulness. Doubtless, there are scientific spheres which, by reason of their very nature, are removed from every-day life and are open to a narrow circle of *connois-*

seurs only. But are not these subjects practically dead, as far as the life of the community is concerned? Do they not appear merely as ornaments of the whole educational structure,—to be admired only because they give joy to a small circle and do no harm?

But even if these views were correct, they could find but tardy acceptance to-day. The wishes of individuals can no longer arrest the union between the processes of culture and of education. Powers far stronger than the convictions of individuals have arisen among the people, causing them imperiously to demand their right to education. They accept no refusal, and base their claims on the following institutions; viz., (1) elementary education, which must embrace all strata of society, and for the sake of the state must arouse the need of education among the masses; (2) compulsory military service, which demands the highest possible standard of independence and circumspection; and (3) the franchise, the use of which presupposes an educated people, if these are to perform properly the functions of citizens.

For thousands of years the masses have willingly submitted to leading-strings and have peacefully lived under many a crozier. But the new age, with its new institutions of primary schools, compulsory military service, and the franchise, has broken with this system, which has now vanished forever. The sun not only shines upon the heights, but also penetrates into the valleys. Those dwelling below feel its beneficial warmth just as much as those dwelling above, and are grateful for it.

Bismarck ingeniously united imperial government and popular franchise in order to make the national strength irresistible. Who would dissolve this union? Single voices make themselves heard to prove that his was a fatal gift; yet no one dares propose the abolition of the franchise. It would raise a storm the end of which could not be foreseen. Therefore, we must take the franchise into account; and we do it willingly because it contains impulses which will continue to work until the people are ripe for the proper use of the right which has been bestowed upon them.

"Education first, liberty next!" is the watchword. Accordingly, the task of educating the people is a prominent issue of social politics. In order to perform the task efficiently, however, it is necessary to proceed carefully, and to build upon the foundations of our present educational system. Numerous innovations have already been introduced. Evening Continuation Schools, lectures for the people, and similar institutions have been organized by communities, institutes, and private individuals. I need only mention the "Humboldt-Akademie," the "Urania" in Berlin,

and the various other institutes that provide general or technical education by means of public lectures, free libraries, and reading-rooms. All these institutions, catering to the educational necessities of the people, are centres of knowledge and enlightenment. The universities of Leipzig, Jena, Berlin, and, more particularly, of Vienna are also taking an active interest in the movement, and are steadily bringing greater numbers under the influence of university education, thus greatly contributing to the enrichment of the national life.

It cannot be denied that all these efforts still impress us as discursive and disconnected, indeed, at times, even as superficial; consequently, the question is frequently asked whether we are not encouraging an intolerable dilettanteism. This, indeed, would be bad, were there not a justifiable dilettanteism. Goethe endeavored to show that dilettanteism is not bad in itself. Conrad Lange of Tübingen even goes so far as to designate it as a condition preparatory to a future artistic age, inasmuch as it makes the dull senses receptive of new truths and new beauties. Dilettanteism becomes dangerous only when a true intellectual craving among the people receives poor and insufficient nourishment, and when inferior *dilettanti* talk loudly and assume the leadership, while wise and able men withdraw in disgust. It is for this reason that the latter must be admonished to assume the charge of those eager for culture.

It is not wise to mock and scold the people for their confusion of thought,—a thing that self-complacent specialists are only too fond of doing. It is not statesmanlike to punish the people for too much zeal, and for foolish and imprudent speeches in the manner of the “Umsturz” bureaucracy. The blame rests upon the educated who consign the people to the care of half-educated persons; upon the statesmen who subject the people to the influence of factious politicians, instead of nobly striving to obtain possession of the popular mind by means of education. Reprehensible also is the policy of those who pursue false aims in regard to popular education. Here we have a repetition of the same phenomenon which we have to combat in that theory which holds that the main object of education is the transmission of knowledge in the greatest possible quantities.

We Germans received our earliest education in the Latin schools of the Roman Catholic Church. The barbaric, illiterate people looked with reverence upon the treasures of an ancient culture; and this reverence for learning has remained with us to the present day, although it is now on the eve of decline. Nowadays it is generally admitted that knowl-

edge and learning alone are not culture: experience teaches that a person may be very learned and yet be the reverse of cultivated.

Culture is no mere dead possession; it is the power of determination; it is life,—inward personal life, full of independence, and not subject to the opinions of others. Therefore, it is the cultivated person who is really free: he is the master who controls the destinies of the people. But “controlling,” in the true sense of the word, implies “educating.” True government is possibly only through education. Thus it lies in the nature of culture to widen the circle of its participants; while it lies in the nature of learning to narrow its circle.

In the development of culture we can, to a considerable extent, trace the history of our people. At the time when we Germans came into history, the number of the cultured was very small, and confined to those of royal birth. The higher nobility educated the gentry; and these, in their turn, educated the *bourgeoisie*.

The history of middle-class culture extends from the fourteenth to the nineteenth century. Through education, admittance was gained into the community of the cultured, *i.e.*, into society. With admittance into this circle came authority; for a share in culture means a share in power. To-day the middle class has assumed the *rôle* of the educator, and educates the lower class, which is struggling toward the top. The middle class should not refuse the work thus allotted as its share; for education is a necessity. The history of the world advances through sacrifice; and the characteristic of the process lies in the fact that the ruling class must divest itself of its monopoly by uplifting the rank below.

We are now in this position: The elevation of the middle class has continued for nearly five hundred years; the education of the lower class has only just begun. Will the accomplishment of the latter also require so long a period? This should by no means be taken for granted; for, through the introduction of the franchise, the pace has been greatly accelerated. Though contrary winds may, for a time, arrest the progress of the ship, causing it to pitch and struggle against the waves, it must in the end make progress. Thus, too, will popular education move onward, if the middle class rightly conceives its educative mission.

Above all, however, it should be clearly understood that the ideas now reigning among the lower class are products for which the middle class itself is responsible. The revolutionary tendency of to-day may be traced to the democratic ideas of the *bourgeoisie* in 1848; while the atheism at present prevailing has arisen from the religious indifference

of the liberal middle classes. "He who sows the wind will reap the whirlwind." If the middle class does not wish to be swept away by the whirlwind, it must be prepared to answer the question, What shall we sow to-day in order that our children's children may rejoice in our sowing?

If the definition already given of the essential elements of real culture be borne in mind, the answer to this question will not be difficult. The task of popular education, as a continuation of school education, should not be conceived merely as the transmission of mere fragments of knowledge, however valuable these may be in themselves, but rather as a preparatory training for the exercise of independent judgment. He only is free who can judge independently: he who has to depend upon the judgment of others is a slave. The individual must be capable of finding his own way amidst conflicting ideas. And thus the chief aim of popular education is the development of a clear and correct process of thought. Where clearness of thought has been reached, the will that acts is to be found. Instead of confused desires, firmly fixed principles of action are acquired; the training of correct reasoning will develop the moral judgment; and in this way the highest step, the formation of the will, may eventually be reached.

Here we are confronted by a gigantic task. It is easy to say that what school education begins popular education must continue; but how can this be accomplished? Fortunately the means are many and various. At school the youth can be confined to one course, comprehensive in itself. But the world without is manifold, rich as life, and tolerates no restraint. Everything in it is based on free will. And how numerous and manifold the ways and means of influencing the thought and character of the people!

Last summer, while wandering across the heights of Edinburgh, I met two young Englishmen. They were masters in an English public school, and were making a tour through Scotland,—though not alone and not merely for pleasure; for they acted as leaders of a party consisting of about seventy people. Their travelling companions were not rich boys from Rugby School, but working-men making their escape for a week from the grime and noise of the town. And now, under the able guidance of both masters, they were occupied in viewing the historic places of the Scottish kings and the picturesque landscapes of the country of Sir Walter Scott, amidst a happy variation of instruction, conversation, games, and songs. It was a kind of school-journey,—but on a larger scale and with a greater purpose in view.

As I descended from the heights into the large park of the city, I saw hundreds of people grouped, at small intervals, about several of those speakers who are almost daily to be found on the "Meadows" in the heart of the capital, talking with loud voices and vigorous gestures. There the atheist speaks next to the devout Christian; close to these a zealous adherent of the Government sounds its praises; while at his side an Anarchist expresses views and uses terms which, with us, would bring the Public Prosecutor to the spot. But there the policeman, as guardian of the peace, walks quietly among the various groups; and no notice is taken of him. Even the outbursts of the Socialists against the excrescences of capitalism do not disturb his equanimity. That also, if you like, is a school, an opportunity for the people to hear extremely divergent views, in order that they may form their own opinions.

One who directs his steps upward from the broad "Meadows" of the Scotch capital toward the old royal residence will perceive on his way a huge building containing the Public Library, with its 40,000 volumes, and the Public Reading Room. The spacious halls of this palatial building are daily filled with an eager throng of readers, recruited from every class of society in the city. Farther up, close to the Scotch royal palace, rises the "Outlook Tower," with its commanding prospect over town, hill, and surging sea; reminding one of that mysterious tower in Wilhelm Meister's "Wanderjahre," whose stories symbolize the world, its countries, and the development of mankind. Here university tutors are working for popular education.

In Germany a wider view must be obtained of the necessities of the people, and means must be devised to gratify these necessities. Side by side with other institutions, universities, as centres of intellectual culture, now constitute one of the principal factors of the educational movement. This is very fortunate. Only too long have the universities proudly held aloof from the life of the people, and catered to the intellectual needs of a chosen few only. While this is perfectly justifiable as regards those branches of science which must, by their very nature, be confined to a limited circle, it does not apply to such as are closely identified with the intellectual tendencies of the present day. The latter the University must recognize, unless it be willing to stagnate and to dispense a dead learning such as is stored up in thousands of musty folios. In my opinion, the following subjects should not be confined to the universities; viz., philosophy, history, literature, history of art, some departments of the natural sciences, political economy, pedagogics, and hygiene. I be-

lieve also that it would do no harm to bring theology into closer touch with life. Yet, who desires to know anything about theology at a time when all are thirsting for a renewal of faith, while the Protestant Church is tending in the direction of Roman Catholicism as a means of self-preservation?

The standing of the universities makes it incumbent upon them to become the intellectual leaders of the nation. In order that they may fulfil this mission, however, they must renounce their scholarly isolation, and widen their circle of students so as to include the entire nation. In short, they must, in addition to their restricted task, assume a more comprehensive one, though without becoming unfaithful to their chief aim, *i.e.*, scientific research. The comprehensive task to which I allude is imposed upon the universities by the institutions of compulsory education, compulsory military service, and the franchise. The University must resolutely take part in the great work of education, and relieve the people of moral responsibility. This goal can be reached only when that degree of culture is attained which recognizes no tutelage but that of reason and truth. But to this end we require a staff of elementary teachers equipped with a university education; we also require a new school of clergy, who can assume the responsibility of educating the masses, in order that they may understand the historic development of our present state of culture, grasp the problems which confront us, and become qualified, through the exercise of independent judgment, to take part in the political life of the nation. In this way, popular education may be brought into relation with school education, and become a continuation of this in a higher and freer sense.

It is important that our small group of educators should not lose sight of this aim. It is a good thing to teach; but teaching can only become a living thing through contact with life. For this reason educators should ever bear in mind the precept, "All educational activity should serve the people." Whatever our position, we should ever, in the first place, exercise our ability within our immediate circle, and fulfil the duty which our calling, in its narrower sense, has imposed upon us. But there are other obligations besides these. Educators must be awake to influences as they arise, and endeavor to trace the connection between the more direct duties of their profession and the great problems of contemporaneous culture. In short, they must be prepared to utilize their faculties to promote the education of the people at large.

WILHELM REIN.

SAXON AND LATIN COURTS.

IN the City of Mexico a few months ago, while in conversation with a prominent Minister of the Cabinet of President Diaz, I took occasion to remark on the preponderance of the executive department of the Government of that country, as compared with ours.

The Minister, who was interested, said in reply, "Supposing your President McKinley should express a wish to have some important change made in the conduct of one of your great railroad systems, surely the managers of the railroad company would comply with his wishes?"

"They would," I replied, "be more likely to tell him—in diplomatic terms, of course—that he should mind his business and that they would attend to theirs."

"But," said the Minister, "suppose there had been gross mismanagement or an abuse of privileges by the railroad company or its officers, where would you get redress?"

"In the courts, of course," I answered.

The Minister could hardly conceive how a few judges, none of whom, perhaps, had ever seen a field of battle or knew how to drill a regiment, could wield such mighty power in a nation of such military resources as ours. Nevertheless, it was the truth.

The Latin nations are governed by their executives; the Saxon nations, by their judges. And ours—Saxon of the Saxons—is preëminently a judge-governed land. In no other country of the world does the power of courts of justice compare with their power in our country. An executive edict or a legislative act is powerless for good or for evil if the court of last resort, after argument and consideration, shall pronounce that it is contrary to the fundamental law of the land.

In France, in the recent Zola trial, we have seen a court subordinating itself to the executive power, and men in military garb giving "reasons of state" as their excuse for refusing to testify in a civil cause, turning their backs on cross-examining counsel, and successfully defying the power of the subservient judiciary. There is not, let us hope, a justice of the peace in all the United States so weak that he would not have had nerve enough, if the proceedings had been in his

court, summarily to commit to jail for contempt half the witnesses in the first Zola trial.

In the Dreyfus case the discussion has been long and acrimonious over the proposition whether a judgment of conviction, based on a secret document that neither the prisoner nor his counsel had been permitted to see, should be allowed to stand. In any part of our country the conviction would have been reversed by the Appellate Court almost before counsel had finished his statement of the proposition. To the credit of the High Court of Cassation be it said, that when the Dreyfus case did finally get before it, it had courage to act as becomes a court.

Our land is the land of freedom because it is a judge-governed land. Our English-speaking race has secured its free institutions because it has secured a government by judges. The power of the executive is exercised arbitrarily and from a partial or partisan view of the situation: the power of the judiciary is exercised deliberately and after hearing all sides of the question. The one may sustain its authority by force: the other has to support it by reasoning. The one depends upon that which man enjoys in common with the beasts; the other, on that which we share with angels. Latin nations to-day have institutions which guarantee some degree of freedom to their people; but the institutions on which their people depend for whatever degree of freedom they enjoy have been copied from ours. Their hope for the future is in copying more. They will have to keep on copying until a Dreyfus or a Zola trial shall be as impossible with them as it is with us.

Not only do the courts play a much more important part in the government of our English-speaking race than among Latin nations, but such courts are very differently constituted under the two systems. With us the judiciary is independent: with the Latins it is more or less the servant of the executive. The Latin executive is wont, in practice,—however it may be in theory,—to fix the limit of the scope of judicial inquiry. It is quite the contrary with us. In our country the judiciary itself determines the limitations of executive and legislative power. In no other nation in the world, not even among our English-speaking brethren across the sea, would the Dartmouth College decision or the Income Tax decision have been possible.

I once visited, on litigation bent, as the counsel of a large corporation doing business there, a country where Latin jurisprudence prevailed. As soon as my presence and the object of my visit were known, I received a polite note from the Governor of the state asking me to call on him. I did so. My opponents, he said, had been to see him;

and he had become satisfied that they had the right of the case. I said I supposed that that was a question for the judges to decide. He replied in astonishment, "But I appoint the judges!" I saw that it was impossible to make the Latin mind appreciate that the power that made the judges should not control their actions. I found it easier to persuade the Governor that *we* had the right of the case; and after that, I had no trouble with the court. Our new New York Governor has a considerable reputation for irrepressibility; but even the man who so gallantly led his regiment into the bush at Las Guasimas, and up the hill at San Juan, would hardly have the courage to try to dictate to Chief Justice Parker as to the decisions of the Court of Appeals.

A distinguishing feature of our courts is that they always act in the open. A Saxon court has no closet. Under the original Latin practice—in some Latin countries this practice has been modified—the proceedings are all taken by the judge in privacy. The witnesses are examined by the judge in private; the record is made up by him in private; and the cause is submitted and decided on written arguments. He is always right: for he has to give no reasons for his decision; and the evidence upon which it is based is never made public. It has been said of this method of taking the evidence of witnesses in the judge's private closet, that if he was an honest judge he took only testimony; otherwise, he was wont to take whatever he could get.

The bulwark of our Saxon judicial system is the free and unrestricted cross-examination of witnesses in open court. Notwithstanding its occasional abuse, it is the best device for eliciting truth and securing justice that has ever been invented by mortal man. Latin jurisprudence has no such bulwark.

Another distinguishing feature of the Saxon court is the trial. The Saxon lawsuit is a battle. The lawyers on each side are the opposing commanders. The issue is determined by a trial. A battle is a trial on a battlefield. A trial is a battle in a court-room. In every legal controversy in a Saxon court there comes a time when the suitor must meet his adversary face to face and *try* issues with him. In Latin courts—except as they have in modern times occasionally copied from our system—there is no such thing as what we call a trial. The judge has charge of the case from the beginning. It is under trial all the time; and it is usually a long time. If the judge is in doubt,—and he usually is,—he takes more testimony, either of his own motion or by examining witnesses suggested to him by either side. When he can think of no more evidence to take, or because he is tired of the case, he decides it. The

responsibility for the management of the case is, from the beginning to the end, with the judge and not with the parties interested or their counsel. A determination is finally reached; but it is evolved from the gradual mental processes of the judge and not as the result of a sharp and decisive trial. The Latin, except as he has learned it from us, has no conception of what we know so well as the trial of a lawsuit.

The distinguishing difference between a Saxon and a Latin court is well illustrated by the form of the pleadings. The Common Law declaration, the Saxon's formulation of his claim, is the assertion of a right; and it concludes with a demand. The Bill in Equity, the typical Latin plea, is a petition; and, except where we have Saxonized it, it ends with a prayer. The Saxon issue is sharp, clear, concise. It has a clear affirmative and a plain negative—something one can fight about. The Latin pleadings are long, complicated, verbose. They suggest much to talk about, but little to fight over. The Saxon declaration is the demand of a freeman for his rights: the Latin petition is a persistent plea for grace. The Saxon in a lawsuit seeks his own, and is ready to fight for it: the Latin asks for bounty and begs for it.

Latin law is always codified. The Latin judge is ever following the strict language of the code, and dares not depart from it. In these modern times we Saxons of North America have experimented somewhat with codes, but usually to our sorrow. The common law of the English-speaking race has too much of life and vigor in it to be bottled up.

The Latin law is an artificial law. There is no law in a Latin country until somebody makes it. When made, it is a dead law with no inherent power of growth and development; and it is easily codified. The Saxon law was never made. It grew and developed, as order and institutions were evolved by our Saxon ancestors out of the wild freedom of the German forest. It is more alive and growing faster now than ever before. You may write what you know of it in a book, and call that book a code, and the legislature may enact it; but no press can print it so quickly but that before it reaches the public there will be more law outside your code than in it. The Saxon court draws its inspiration from a library of living precedents which it is ever modifying and to which it is ever adding. The Latin court looks only at its book of enactments, dead because there is no power to change or modify or adapt them to meet new conditions.

The lawyer, too, plays a much more important part in a Saxon than in a Latin court. There is much more need of him in the development of a live and growing system of jurisprudence based on real living

precedents than in the administration of a dead system based on artificial and codified enactments. We sometimes call our body of law reports judge-made law. It would be more accurate to call it lawyer-made law. The part that judges have played in the evolution of our grand and benign system of common law has usually been to phrase and adopt what the lawyers have evolved and formulated. The best judicial opinion is usually that which follows most closely the brief of the lawyer who has the wit to state his case so that it can come within and become a part of the common law of the land.

I said at the beginning that ours is a judge-governed land. I used the word "judge" in a broad sense. I intended to include in the term all the accessories of the administration of justice; including, as by no means the least important element, the lawyers who aid the judges in such administration. I might perhaps have said more accurately that ours is a court-governed land. The court includes the bench and the bar—the lawyer behind the bench, and the lawyers before it. I should be the last one to admit that under our system of jurisprudence the lawyer is any less important than the judge. The Children of Israel rebelled in Egypt because they were required to make bricks without straw; and the judges upon the bench of our Saxon courts would soon have to go out of the business of pronouncing judicial decisions and of further evolving the common law of the land if the lawyers ceased to furnish them with the requisite raw material.

The conspicuous figure in the Latin court is the judge dispensing justice; in a Saxon court, the lawyer fighting for it. The Latin judge represents in his own person the fountain of justice, and is a law unto himself: the Saxon judge is but an instrument for enforcing the fixed and settled principles of the laws of the state. One says, "What shall I, the representative of the state, do for this supplicating subject?"; the other, "How shall I, an arbiter upon the bench, so administer the law of the realm, and extend its operation, if need be, that this freeman may maintain and defend his rights secured to him by the letter or the spirit of that law?"

But the difference between the Latin and the Saxon lawyer is even greater than that between the Latin and the Saxon judge. The Latin lawyer is but the channel through which the subject approaches his sovereign and prays his help: the Saxon lawyer is the representative of a freeman demanding and fighting for his rights. The Latin lawyer is but an incident of his court, that may be dispensed with without seriously impairing its efficiency: the Saxon lawyer is an inherent, integral, and

necessary part of the court in which he practises, that cannot be dispensed with without fatal results. Under our system the wheels of the court would soon cease to revolve if the lawyer's guiding hand were taken from the lever.

The Saxon lawyer is not one whit less dignified, less responsible, or less vital to the court's existence than the judge himself. The Latin court consists of a master behind the bench and of his servants before it: our courts consist of lawyers on the bench and of other lawyers of equal dignity and importance—as we of the bar are fain to flatter ourselves—before it.

Well is it for our race that we have never been content to live under a paternal government. While all the rest of the world was going to Rome as the fountain-head of legal learning for their systems of jurisprudence, we remembered that we were sons of Saxon sires who preferred liberty even to order, until they learned how to secure both, and who chose the wild freedom of the German forest rather than the glittering grandeur of imperial slavery. We remembered that we were descendants of those who followed Hermann when, in the mountain passes of our ancestral home, he attacked Varus and his Roman legions; annihilating them and so saving the Saxon race, to find in after years the full development of its character and institutions in England and America. And so it was that we refused to adopt the paternal jurisprudence which had its origin in imperial despotism, and evolved for ourselves a system which has for its basis the recognition and protection of a freeman's rights. We have our institutions that provide guardianship for infancy, idiocy, and lunacy, help for helplessness, and fair dealing for all. But self-reliance is the corner-stone of our Saxon judicial as well as our Saxon political system; and our courts are organized not to scatter justice broadcast as a bounty, but to enable self-reliant Saxon freemen to assert and defend their own rights.

The basic difference between Latin and Saxon jurisprudence is that the one accords privileges, while the other protects rights. The one is but an amelioration of despotism; the other, the strong right arm of a free people. We have taken just enough of the Latin into our Saxon system to temper some of its harshness, to round off some of its rough edges, and to make it a little milder in its application. We have adopted the form of equity procedure from the Roman jurisprudence; but we have changed its substance, so that it is no longer in fact—whatever it may be in form—a plea for a privilege, but is simply a more effective method for safeguarding rights. In New York we have gone so far as to change

the form, so that the plaintiff's pleading in an equity suit, as well as in a suit at law, *demand*s judgment, and no longer *prays* for it.

A few years ago, the wise, patriotic, and beloved president of a Latin republic was stricken down by the hand of a Latin Anarchist. A few months ago the lovely and beloved queen of a nation where Latin jurisprudence prevails was the victim of the mad act of another Latin Anarchist. Many lesser, but not less atrocious, crimes have been committed by Latin Anarchists in all the Latin countries of Europe during the last few years; and Latin Europe to-day, notwithstanding the perfection of its police organizations, is trembling with terror before these same wild Anarchists. A European congress has been held in Latin Italy to devise means for their suppression.

We have had Anarchists and crimes by Anarchists in England and in the United States; but in most cases the Anarchists themselves, and in all cases their ideas, have come to us from Latin, or at least non-Saxon, countries. Socialism also finds the most promising field for its evangelization in Latin Europe. We have, it is true, Socialists in England and in the United States. The Socialists are probably stronger in the State of New York than in any other State in the Union. Here they are well organized into a political party of their own; but this party polled at the last election less than $1\frac{1}{4}$ per cent of the total vote. They may have a little more than this of proportional strength in England; but, if we allow them $1\frac{1}{2}$ per cent of the voting population of the English-speaking world, we shall be quite liberal to them. Their comparative strength in Latin Europe is at least ten times what it is in English-speaking Europe and America.

Paris is the capital of the Latin world. Communism finds its home in Paris. It has a number of times secured absolute control of the city, and is at all times a source of danger. Communism is a sort of hybrid product of socialism and anarchism. The habitat of the Anarchist, the Socialist, and the Communist, and the source of anarchistic, socialistic, and communistic ideas seem to be Latin Europe. Is this merely a coincidence; or is there to be found in the facts an underlying relation of cause and effect? Is there anything in the institutions or jurisprudence of these Latin countries that promotes the growth of anarchism, socialism, and communism? Has it never occurred to the promoters of anti-anarchist congresses and to the men who fear so much the growth of socialism and communism that the Anarchist, the Socialist, and the Communist may be the natural and inevitable product of the jurisprudence of privilege?

The nations of our English-speaking race have never sought to promote equality of condition, because we have always known that there is not and cannot be an equality of merit; but we have sought to lay the foundations of institutions and to establish a jurisprudence that should insure an equality of opportunity. We have made every man the architect and the artisan of his own fortune; and it has been on the grindstone of toil that the Saxon has whetted the sword of his success.

A jurisprudence founded upon rights, and courts organized to maintain and defend rights, are the best possible guarantees to everyone born a citizen of a nation that he shall have equal opportunity with every other citizen to win the wages of honest toil and to secure the more splendid rewards of extraordinary industry. A man born and educated under such a jurisprudence, and growing to manhood under such institutions, with an equal chance with every other man to write his name high up on the roll of those that the world most honors, is not likely to turn out either an Anarchist, a Socialist, or a Communist. He has every possible incentive to strive to raise himself above the level of those around him, rather than to waste his energies in trying to drag those above him down to his level. The basis of our Saxon civilization is the institution of property, founded upon the right of every man to enjoy the fruits of his own industry. A jurisprudence founded upon rights is the only jurisprudence that can insure adequate protection to private property, and the only jurisprudence which gives no fostering encouragement to anarchism, socialism, and communism.

May we not, therefore, suggest to anti-anarchist congresses that perhaps the best security for Latin Europe against the further spread of anarchistic ideas, and against the continued prevalence of the awful crimes of anarchy, would be to reform their institutions so as better to safeguard human freedom; to base their jurisprudence on rights rather than on privilege; and to establish a free and independent judiciary; so that those who are now vainly seeking there equality of condition may at least find the same equality of opportunity that the English-speaking nations offer to their every citizen?

At Runnymede, some seven hundred years ago, was laid the foundation of a jurisprudence which now insures liberty and order and prosperity to half the world. Perhaps it might be just as good for the other half.

WALTER S. LOGAN.

THE SCHOOL SYSTEM OF PORTO RICO.

As is the case in examining all public institutions in Porto Rico, an intelligent investigation of the schools and school system must begin by divesting the subject of the veil which official reports and statutory provisions have thrown around actual practices. This is a somewhat difficult task, in view of the fact that, except by the closest questioning, no answers can be got out of officials which reveal the discrepancies notoriously existing between theory and practice.

The examination of reports and school statutes, and interviews with mayors and public officials, lead to one set of conclusions. Personal observation and the testimony of educated natives, coupled with a close analysis of statistics, lead to quite another.

It is undeniable that the school system for which the taxpayer gets a bill is well thought out and well adapted to a progressive people in an early stage of development; and it is equally undeniable that the school system with which the taxpayer is actually provided is adapted only to a degenerate race that has lost all desire to avoid disintegration.

Of course the official reports and school statistics are not absolutely valueless to the investigator; but on the whole he will derive from them less information than amusement at the vagaries of official arithmetic. Columns do not balance, figures do not tally, totals are incorrectly added, and data not only fail to agree, but are often absurd on their face. It is useless to try to straighten these things out. If an explanation is asked from any official, he smiles, changes the subject, and leaves you with the impression that figures are not meant for mankind to take seriously.

The trouble with the School Census is not in the system, but in the execution. The blanks which are sent for the teachers to fill out are comprehensive and intelligent; but they frequently get no farther than the teacher's substitute for a waste-paper-basket. From some of the larger places, however, school returns are exacted. This is regarded as another instance of the annoyance of Spanish tyranny; and it is only at the very latest moment that the Government demand is complied with. In one city I examined a file of papers for the year 1897, and found among them a succession of telegrams from the authorities re-

quiring an immediate rendering of the figures for the previous year. I asked the Mayor if the figures were sent on receipt of the telegrams. He smiled and said, "Yes, figures were sent,"—significantly leaving out the word "the," and accenting "figures."

In another city I asked the Mayor's Secretary to show me the record of school attendance for 1897; but he gravely answered that the teachers had not yet returned the blanks. On my suggesting that the statement for 1896 would answer my purpose just as well, I was told that the returns of that year were not yet available either. As a last resort, I asked to see the record compiled for the last Decennial Census, that of 1887; but the Secretary shrugged his shoulders, and implied that I was unreasonable.

I found that most of the mayors had no idea that a census of the whole Island had ever been taken. Nevertheless, what purported to be such an enumeration was taken in 1887; and in back numbers of the "Official Gazette" I found portions of it.

As I never succeeded in seeing a copy of the whole compilation for that year, I cannot give with absolute certainty the statistics of illiteracy which it contained. But I read in an unofficial pamphlet, whose accuracy I have no reason to doubt, that the Census of 1887 showed a population of 806,708, of whom 111,380, or less than 14 per cent, could either read or write. In a rectification of the Census for 1883, however, which I found in the "Official Gazette," statistics of illiteracy are given which reveal a gross blunder somewhere. According to the returns for that year, 238,294, or more than twice as many inhabitants as four years later, could either read or write; the logical deduction from which would be the absurd proposition, that during the interim 127,000 people in the Island had lost the ability to do so.

All the Census figures are nearly valueless, as they are founded on the statements of the heads of families; and heads of families in Porto Rico leave something to be desired in the way of accuracy.

The City of Ponce is the largest in the Island, having a jurisdiction of 49,000 souls. For this city an excellent Census for 1897 has been published, from which much information may be gained, although it is doubtful even in this case whether the statistics of illiteracy are to be relied on.

Ponce is divided territorially into 28 *barrios*, or wards, of which five, with a population of 15,242, constitute the city proper, and three, with a population of 9,412, constitute the port and suburbs: the rest are country districts. In the city proper more than 54 per cent can either

read or write; in the country, from 6 per cent in some wards to 27 per cent in others. The percentage for the 28 wards is 29.37 per cent.

Judging from the above Census and from figures and opinions given me in other towns, I had almost decided that it could be fairly estimated that nearly one-third of the population could either read or write, when my faith was shaken by an examination of a few of the registration-sheets for voters. As not more than 35 per cent of the people exercise their franchise, and as, presumably, those who do so are above the average in intelligence, I was surprised to find that 20 per cent would be a high estimate for the number of voters who could sign their names to the rolls I saw.

On the other hand, Don Manuel Rossy, Secretary of Public Instruction, told me that, in his opinion, nearly 30 per cent of the population could either read or write; but I could not find, on questioning him, that he had any good ground for his opinion. In fact, the suspicion continually grows on one that at some time in the past the authorities must have given out the statement that one-third of the population could either read or write, and that no one has thought it worth his while to dispute the proposition. Hence this idea has gradually spread, and hence all officials, when asked about the question, give practically the same estimate.

So much for the tangible results of the school system on the inhabitants of the Island. On investigating the system itself, equally unsatisfactory and conflicting data must be struggled with. Different official, or semi-official, authorities give different figures in enumerating the schools; but it is safe to say that the number for the whole Island would not be underestimated at 600, of which less than 40 are private or religious establishments.

The common schools are divided into four classes: Superior, Elementary, Auxiliary, and Rural. Each school has one teacher, whose salary ranges from 1,200 pesos, or, say, \$600, in a Superior School of the first class, to 300 pesos in a Rural School. It is needless to say that the education inflicted follows an equally low range of values.

The total enrolment in the 9 Superior Schools of the Island is 567 pupils of both sexes. There are supposed to be 2 Superior Schools—1 for each sex—in every Departmental capital. This would make 14 such schools in all; but, as a matter of fact, in some cities the girls, and in one city the boys, are obliged to forego this advantage.

Fortunately for the 9 teachers in these Superior Schools, a large number of the 567 enrolled scholars do not attend. In the Superior School

for Girls at Mayaguez there were 126 pupils enrolled in 1897; but, in response to my request to be allowed to visit this school, I was informed at the Mayor's Office that it had been closed for lack of pupils. As the city was occupied at the time by a large force of American troops, this may or may not have been the true reason for the suspension of education. It is possible that no schoolmistress could be obtained who was willing alone to undertake the management and instruction of 126 girls, —a task from which even the redoubtable Yankee schoolmarm would recoil.

The Superior Schools are supposed to prepare for the Institute at San Juan; but many of the pupils at the latter establishment had been obliged to derive their earlier education from private sources, owing to the inferior quality of instruction in the public schools ever since 1886. In that year Captain-General Eulogio Despujols was recalled to Spain, much to the detriment of education, since he had spared no effort to keep up the standard. Subsequently schoolmasterships became political footballs, to be kicked in the direction of the faithful by the successful politician; and they have ever since served that purpose.

Considering that a graduate of the Institute of San Juan could not pass the examinations for admission to Harvard or Yale, it may be surmised that in the Superior Schools, which prepare for it, the supply of higher education is limited. Some of the studies, to be sure, are glorified with high-sounding names; but, when that disguise is removed, it is easy to recognize our old friends, the three R's.

In the Elementary School the course is still more juvenile; and, when the grade of Rural School is reached, the pretence of teaching is almost abandoned, so that the most arduous labor of the master is the drawing of his pitiable salary.

In the larger townships there is 1 school to about every 1,000 inhabitants; but in a great many parts of the Island the proportion is much less. Notwithstanding a compulsory school-attendance law, many country districts are entirely without schools.

The school-attendance law, which there is no attempt to enforce, provides that children shall attend regularly when the schools are open, —that is to say, for six hours daily during nine months of the year, and for two hours daily during the other three, July, August, and September. The state of the roads during the rainy season alone renders compliance with this law impossible; but, apart from this, it is obvious that such a law could not be enforced during the entire year among the poor people.

The city of San Juan, being the seat of government, is comparatively favored in the number and quality of its schools. Besides its 29 common schools, it has a Normal School for each sex, a Manual Training School of recent establishment, and the Institute.

The Normal Schools are said to have an attendance of about 50 pupils each; while the Manual Training School is said to have an attendance of about 200 and to be a marked success.

According to the catalogue of 1896-97, 323 pupils were enrolled in the Institute at San Juan. Of this number, 91 attended lectures at the college and were classed as "Official," 208 attended affiliated schools in other cities, and 11 received private instruction at home. The remaining 13 were pursuing an advanced course in commercial education of so little practical value that it has since been abandoned for lack of pupils. All these students, of whatever class, are examined either at the Institute itself or else by itinerant professors of that establishment.

Although the cost of education at the Institute is defrayed by the state, and the fee for enrolment is only 5 pesos, but 60 per cent of the scholars attend regularly; while the number who receive in any one year the degree of Bachelor seldom exceeds 15.

The course is for five years; and those who purpose taking it in full usually enter at about eleven years of age.

The following subjects are taught; viz., latin, geography, history, rhetoric, poetry, mathematics, French, philosophy, physics, chemistry, natural history, and agriculture.

Affiliated with the Institute are seven lesser schools, private, subsidized, and religious, situated in various cities, with a total enrolment somewhat exceeding 200 pupils.

A branch of the University of Havana was once established in Porto Rico; but it languished, and soon was abandoned. Since that time the entire educational system has been as described above.

In spite of these adverse circumstances, there are many educated Porto Ricans; but, almost without exception, their education has been obtained in Europe, Havana, or the United States. Our medical colleges are apparently more attractive to them than our other educational institutions.

Of course, such a method as this of acquiring a higher education is open to but few; yet it is surprising to see what sacrifices families of very moderate means are willing to make in order to give their sons this advantage. Herein, in fact, lies the only ray of hope which illumines the pessimism with which the educational problem inspires one.

Were it not for their willingness to make these sacrifices, the inhabitants might be regarded as hopeless from an educational point of view, so unambitious, lazy, and incompetent do they appear. This is not because Porto Ricans do not work hard when they work at all, but because they seem incapable of the sustained and persistent effort which the acquisition of an education necessitates.

At best, however, the case has anything but encouraging features. It is not that it would be very difficult to frame a reasonable law which would compel parents to send their children to school, but that the question of how to make the children learn when they get there bristles with obstructions.

Laxity of discipline is the general characteristic of the schools; and it is a question how far this can be remedied. The children are ruled at present neither by love nor by fear; and it is at least doubtful whether they can ever be ruled in the way our school-children are. A very little observation convinces one that the only method which can be applied successfully is compulsion, and that of a severe type; yet experience teaches us that it is only with lusty young barbarians that such a system produces good results. Now, lusty young barbarians is what Porto Rican children least resemble. They are timid weaklings, entirely lacking robustness, and possessing the characteristics of decadence. Instinctively one feels that severity would break their spirit; while just as instinctively one feels that they would return nothing more practical than sentiment to a policy of gentle methods and to appeals to reason. They would love their teacher; and there it would end.

However, ethnology is not such an exact science as to render it certain that attempts to rehabilitate decadent races are foreordained to failure; nor are the symptoms of a decadent race so unmistakable that there can be more than a strong probability that Porto Ricans can be classed as such. Consequently, this paper would be worse than useless if it did not point out certain remedies worthy of trial, however discouraging the prospect may be.

Summing up the situation as a whole, the skeleton of the Porto Rico school system seems fairly good, although here and there bones may be lacking which should be supplied. Educational facilities are more or less evenly spread over the whole Island; and each community is accustomed to handling and paying for its own schools.

A higher grade of common schools must be established; and many new primary schools will be needed.

Better-paid and more competent teachers must be employed; and

herein lies one of the greatest difficulties. American teachers, except as instructors in English, can make but little progress until our language has spread to all classes; and meanwhile a sufficient number of competent native masters and mistresses will be hard to find.

A compulsory school-attendance law, founded on reason and on existing conditions, must be enacted and enforced; and the Truant Officer must come into existence. To make this official's duties possible of fulfilment, schools must be closed during the rainy season; but, above all, the people must be raised from their poverty-stricken condition, which is quite as much the result of their own fault as of Spanish oppression. Otherwise, mothers will continue to excuse their children's non-attendance on the ground that they have no clothes,—a statement so literally true that even the most elderly American schoolmistress would shrink aghast from a line of school-children dressed in their national costume.

Raising a nation from poverty, however, is a science which no government has ever yet mastered. It is individual effort which raises nations from poverty; and the question here is, How can the Porto Ricans be educated up to individual effort?

A. P. GARDNER.

THE AMERICAN SEAMAN UNDER THE LAW.

IN spite of the virtual revolution that has taken place within recent years in the character of sea-going craft, the condition of the seaman remains practically unchanged. While every possible means has been invoked to improve the *matériel* of shipping, practically nothing has been done to further the interests of the *personnel*.

In this respect, the condition of the American seaman is the most conspicuous. Not only in the positive sense, as compared with other seamen, but relatively to the progress of the United States toward personal liberty, he is worse off to-day than at any time in the past. The declaration of Augustus Cæsar, "I rule the land: the law rules the sea," still holds good, except in this, that the immutability of the maritime law is now construed as inhibiting only a *progressive* tendency. In the practical application of the Cæsarean dictum, the authority to alter the law of the sea *retrogressively* is freely admitted, and as freely practised.

The primary circumstance of the seaman's life, the basis upon which rest all the incidentals of his calling and character, is involuntary servitude. The contract which he must make, as a condition of getting employment, binds him to his ship, in effect, as securely as the serf was bound to the soil, or the negro to his master. The principle of this contract is of remote origin. The highest judicial authorities trace it as far back as the law of the Rhodians, some nine hundred years before the birth of Christ. That it has survived to the present time is due to an error in the public mind concerning the seaman and his calling; which error, in turn, is attributable to obvious circumstances, preventing a general understanding of the matter. The everyday life of the seaman is, of course, unknown to the public. For information on the subject the public depend upon written accounts; and these are usually colored by motives other than the narration of plain facts. Only the effects of the seaman's life, as they develop in his conduct ashore, are seen. These effects are, unfortunately, but too well calculated to confirm the public prejudice and to substantiate the theory of law by which the seaman's relations to his employer and to society are regulated. The public opinion thus formed is generally founded upon an inversion of cause and effect.

In law the seaman is a "ward of admiralty." The significance of this term is contained in the following language, from the decision of the United States Supreme Court in *Robert Robertson et al. vs. Barry Baldwin*¹:

"Seamen are treated by Congress . . . as deficient in that full and intelligent responsibility for their acts which is accredited to ordinary adults, and as needing the protection of the law in the same sense in which minors and wards are entitled to the protection of their parents and guardians: 'Quemadmodum pater in filios, magister in discipulos, dominus in servos vel familiares.'"

Originally, this position was consistent with the system of government prevailing among all classes, and was further justified by the circumstances of maritime enterprise. But, notwithstanding the radical modification of these circumstances, the assumption of paternalism is still maintained, and in a capacity almost exclusively primitive. As pointed out in the dissenting opinion of Mr. Justice Harlan, in the case just cited,

"Their [the seamen's] supposed helpless condition is thus made the excuse for imposing upon them burdens that could not be imposed upon other classes without depriving them of rights that inhere in personal freedom."

It should be noted, too, that the theory of the seaman's helplessness, while originating mainly in the necessities of his calling, is to-day justified upon an assumed necessity in the nature of the seaman himself. The peculiarities attributed to the seaman are described by the term, "natural improvidence." The alleged mental weaknesses and moral excesses of the seaman are thus explained as part of his nature, —a congenital complaint, as it were,—and are dealt with upon that hypothesis. Yet, investigation shows that these traits are natural, not to the seaman himself, but to his legal status; not to anything inhering in life at sea, but to the circumstances of law and usage which are superimposed upon it.

The maritime law of the United States derives its authority from the codes of the Middle Ages, beginning with the *Consolato del mare* of indefinite antiquity, but generally attributed to a period earlier than the thirteenth century. Following in chronological order, are the Laws of Oléron, originally promulgated by Eleanor of Guienne, and afterward confirmed by Edward III in 1339; the Laws of Wisby, the exact date of which is in doubt, though, judged by historical inference, they appear to have been first published in the latter part of the thirteenth century; and the laws of the Hanseatic League, first enacted in 1597, and revised in 1614.

¹ U. S. Reports 165.

In considering the applicability of the ancient codes to seamen of the present day, it is important to observe the conditions under which they were enacted. The earlier maritime authorities belong to an age anterior to the dawn of personal liberty, when little or no account was taken of human rights, and when governments were designed to serve the ambitious and despotic ends of the ruling classes, rather than the welfare of the people. Slavery was the common lot of the industrial masses; hence there was at least the justification of consistency in the law imposing that condition upon the seaman. Even as late as the end of the thirteenth century, when the League of the Hanse Towns was first established, the commerce carried on between the Baltic and the Mediterranean was exposed to the depredations of nations steeped in extreme barbarism, whose piracies, but for the mutually defensive steps taken by the Free Cities, would have prevented the success of maritime ventures. The distinctively naval arm of public defence was then unknown: each vessel combined the characteristics of merchantman and man-of-war. It was with a view particularly to the latter, the public, aspect of his calling that the ancient codes restricted the seaman in his coming and going.

To-day personal liberty, under any and all circumstances short of criminal process, is the first requisite of our governmental system. Piracy is a thing of the past; while the danger from war is obviated by an international comity looking to the freedom and safeguarding of all floating property, contraband alone excepted. The functions of commerce and defence are segregated in the two classes of seamen, merchant and naval. As applied to the latter, the principle of involuntary servitude is still justifiable; but the application of that principle to the merchant seaman is an invasion of his rights, committed either in ignorance or defiance of the implied difference between the seaman as a public servant and as a private one.

Considered in this light, the maritime law of the United States places the seaman in a position more unjust and degrading than that of his predecessors, in proportion as the people generally of the present day are freer than those of the past. In the matter of his personal liberty, the American seaman lives under all the disabilities that formerly bore upon the Negro: he is a chattel, both in law and effect. The law of involuntary servitude in his case not only degrades him morally, but it operates inevitably to create numerous other abuses even more repugnant, because more obvious, to the American mind.

A comparison of ancient and modern law upon this and other points

shows that the harshest features of the latter are of recent origin, developed by the omission of the safeguards formerly surrounding the seaman and by new aggressions upon his liberties in successive acts of legislation.

The principle of the ancient codes was that seamen were liable to punishment for desertion or absence without leave only in case of accident to the vessel or damage to the cargo. Even in that event imprisonment was inflicted only as the alternative of failure to respond in monetary damages. Thus, in practice, the penalty was limited to a forfeiture of wages sufficient to cover the deserting seaman's share of responsibility.

In later legislation this principle has been subverted by the rule that desertion, or absence without leave, is, *ipso facto*, punishable by imprisonment. Moreover, the principle that the seaman was liable in monetary damages for his share of loss resulting to vessel or cargo has been set aside in favor of a law providing for the forfeiture by the deserting seaman of all the clothes and effects left by him on board, and all or any part of the emoluments he had earned at the time of desertion. With all this, however, the protection of the port authorities was still vouchsafed the seaman, since he could be arrested only upon a warrant issued from a specified court.

Such, in general, were the terms of the first Act of Congress on the subject, passed in 1790. That Act provided for the arrest, detention, and return on board of deserters in ports of the United States by warrant issued, upon complaint of the shipmaster, by a justice of the peace; but it made no provision for imprisonment as a punishment for desertion. It also limited the monetary penalty to an amount equal to the cost of commitment. This law continued in force until 1872, when the Shipping Commissioners' Act was passed.

It is in the latter legislation that the most drastic evils of maritime usage, known to this or any other time, originate. By the terms of Section 4511 of the Act in question the master of every vessel in the foreign-going trade must sign an agreement with each seaman, by which the latter contracts for service during a specified voyage. Under Section 4599 if, either at the commencement of or during the voyage, the seaman deserts or refuses to fulfil his contract, the master, mate, owner, consignee, or shipping-commissioner, in a United States port, with or without the assistance of the port authorities,—who are directed to give their assistance if required,—and also in a foreign port, if and so far as the laws of such port will permit, may arrest him and convey him before

any court authorized to take cognizance of offences of like degree and kind, to be dealt with according to the provisions of law governing such cases. The prescribed penalties (Section 4596) are: For desertion, imprisonment for not more than three months, and forfeiture of all or any part of the clothes or effects left on board and of all or any part of the wages or emoluments earned; for refusing to proceed to sea or for absence without leave not amounting to desertion, or not treated as such by the master, imprisonment for not more than one month, and also at the discretion of the court, the forfeiture of his wages, of not more than two days' pay, and for every twenty-four hours' absence either a sum not exceeding six days' pay or any expenses which have been properly incurred in hiring a substitute.

The constitutionality of these sections was recently tested before the United States Supreme Court in the case of *Robertson vs. Baldwin*, previously cited. The appellants were four seamen of the American barkentine "Arago," who deserted at Astoria, Oregon, in 1895. The brief set forth that the sections under which the seamen were held to servitude operate to deprive the seaman of liberty and property without due process of law, to deprive him of the right to trial by jury, and to hold him to slavery and involuntary servitude, contrary to the respective provisions of the Constitution. On the latter ground it was contended that the law binding the seaman to fulfil his contract against his will is in violation of the Thirteenth Amendment, which prohibits slavery or involuntary servitude, except as a punishment for crime.

The decision of the Court, rendered January 25, 1897, sustained the law upon the grounds, first, that the Thirteenth Amendment "was not intended to introduce any novel doctrine with respect to certain descriptions of service which have always been treated as exceptional"; second, that "from the earliest historical period the contract of the sailor has been treated as an exceptional one"; and, third, that

"the prohibition of slavery in the Thirteenth Amendment is well known to have been adopted with reference to a state of affairs which had existed in certain States of the Union since the foundation of the government; while the addition of the words 'involuntary servitude' were said . . . to have been intended to cover the system of Mexican peonage and the Chinese coolie trade, the practical operation of which might have been a revival of the institution of slavery under a different and less offensive name."

Finally, the Court ruled that the term "involuntary" does not attach to the word "slavery" continuously, thus making illegal any service which becomes involuntary at any time during its existence, but at-

taches only at the inception of the servitude, and characterizes it as unlawful because unlawfully entered into.

This decision has attracted wide attention on account of its similarity, in point of the issue involved, the reasoning, and the conclusion, to the famous Dred Scott case. In both cases the rule of personal liberty has been taken exception to,—in the case of the negro on account of his color; in that of the seaman because of his calling. But a more immediate feature of public interest in the “Arago” case is the ruling of the Court that contracts made by persons on land may be made penally enforceable by statute. Thus, for the first time, it is declared that the personal liberty of the citizen is not a right inherent in the fundamental law, but is merely a privilege enjoyed under the tenure of public opinion and public policy.

The words “except as a punishment for crime,” in the Thirteenth Amendment were supposed to have given to the term “involuntary servitude,” as distinguished from slavery proper, a definite application to the custom of leasing convicts, which still prevails in certain States. Obviously, servitude which is involuntary at its inception is slavery; hence, by the construction placed upon it by the Supreme Court the term is merely a repetition of language. However that may be, the fact is that the seaman does not voluntarily make a contract. The law compels him to do so, and provides a penalty of \$200 upon the shipmaster who employs him without such contract. It would be begging the question to say that the seaman has the alternative of remaining ashore. Theoretically, this may be true; but in practice it would mean to the seaman idleness and destitution, and to shipping, complete suspension for lack of crews. As it is, the seaman’s necessities compel him to surrender his personal liberty under the different and less offensive name of “contractual slavery.”

In considering this phase of our maritime law in its relation to the institution of slavery, it is worthy of note that the seaman has been specifically treated by American legislation in the past as among those classes which were bound to personal servitude. The earliest American law on the subject was an Act of the Colonial General Court of Massachusetts, passed in 1647, which provided in the case of a deserting seaman, that “if he shall have received any considerable part of his wages, and shall run away, he shall be pursued as a disobedient runaway servant.” This Act was passed when slavery was tolerated in Massachusetts with the assent of the British Government, and antedated the Declaration of Rights promulgated in 1789, the effect of which, as declared by the

courts of that Commonwealth, made contracts for a specified term of servitude against the policy of its institutions and laws. The earliest Federal legislation, enacted in 1790, was also characteristic of the slave system at that time permitted under the labor, or "slave," section of the Constitution (Article IV, Section 3). Indeed, the Fugitive Slave Law of 1793 bears inherent evidence of having been modelled upon the maritime law of 1790. In respect to the provisions for the pursuit, arrest, and return of persons escaping, or "deserting," from the service of their masters, and for the punishment of persons secreting such fugitives, the laws concerning the seaman and slave were analogous, and in great part identical. While, as regards the latter, these laws are understood to have been made void by the Thirteenth Amendment, the decision of the Supreme Court in the "Arago" case shows that they still apply in original severity to the seaman.

Another primary evil of our maritime law is contained in the Allotment system. It is provided that a seaman engaging to serve on a foreign-going vessel may allot a certain portion of his wages, not exceeding \$10 per month, to his "wife, mother, or other relative, or to an original creditor, in liquidation of any just debt for board or clothing." On its face, this system provides means whereby the seaman may procure clothing, and discharge his debts, before embarking on a voyage. In practice, however, the Allotment system develops quite different characteristics.

In the great majority of cases the allotment is made payable to an "original creditor." This term is merely a legal euphemism descriptive of the crimp, or "shark." The latter is the seaman's employment agent, and as such is distinguished by an aggravation of methods proportioned to the helplessness of his victims. By combination the crimps control the shipment of crews, and thus compel the seaman to accede to their terms as a condition of securing employment. The first of these conditions is that the seaman shall sign an allotment note in favor of the crimp for the full amount allowed by law, generally one-half or more of the wages to be earned during the voyage, and usually largely in excess of the seaman's indebtedness. As in the case of the contract by which he signs away his personal liberty, the seaman's only alternative in practice is to remain ashore in idleness. Thus, Allotment, from being a convenience to be availed of at the seaman's option, becomes a compulsory tribute which the seaman pays in support of those whose chief function is to prey upon him. As the seaman signs away one-half of his wages at the beginning of the voyage, he receives but one-half when he lands. This

fact, combined with the crimps' control of the shipping business, operates to place the seaman at the latter's mercy, so that Allotment, instead of palliating the results of "natural improvidence," actually induces that condition. It is a principle of maritime law, older than any statute, and residing in the nature of his calling, that the seaman's wages are exempt from garnishment. According to numerous Admiralty decisions, "the law is forced to declare that no man can be permitted to say anything or do anything to deprive the seaman of the right to demand his wages when he leaves the ship." The Allotment law is a negation of this principle, since in practice it deprives the seaman of the right to secure his wages before he joins the ship.

The terms "allotment" and "advance" are frequently used synonymously. Strictly speaking, the latter term defines a system under which a part of the seaman's wages was paid "on the capstan-head," *i.e.*, as soon as he joined the ship, or within a few hours after sailing. This system was confined mostly to British and American vessels. In view of its generally acknowledged evils, Advance was abolished by Act of Parliament in 1880, but was afterward reestablished at the instance of the shipowners, who complained of difficulty in securing crews. Congress, in 1884, also abolished Advance. The law then passed is still in force, but amended in such a way as to make it a dead letter. The law of 1884, besides abolishing Advance, limited allotments to the seaman's relatives. The American crimps repeated the tactics of their British *confrères*. They refused to ship crews, and thus forced the shipowners to make common cause with them in a movement upon Congress. Consequently, in 1886 the law was amended to permit the payment of allotment to an "original creditor." In effect this amendment reestablished the Advance system in all its essential features, with the additional objection involved in the speciousness of its language and, consequently, the greater difficulty in exposing its real purport.

The experience of many years, and in different countries, proves that the crimps are the first and, in fact, the only beneficiaries by the Allotment system. That system is the chief support of the crimps, who are thereby enabled to fleece the seaman and to force the shipowner into a transaction degrading to his self-respect and inimical to his business interests. The tolerance of the latter is explained by the correlation of Allotment and imprisonment for desertion. This is seen in the provisions of the old laws, which made imprisonment for desertion contingent upon the fact that the seaman had received "any considerable part of his wages" in advance. It is seen in the fact that the British Par-

liament abolished imprisonment for desertion simultaneously with the abolition of Advance in 1880, and that the later legislation reëstablishing Advance also revived that institution. It is seen, further, in the attitude of our own shipowners, who have used the Allotment system as a defence of imprisonment for desertion, on the ground that the latter is their only safeguard against financial loss. Judged by its practical workings, the truth seems to be that Allotment is the means used to justify the end of involuntary servitude. It is, in effect, a relic of the "Queen's shilling," the "fee" of the hind, and the "head-money" of the press-gang, the acceptance of which constituted a legal bond to servitude.

The personal treatment accorded the seaman by American ships' officers is the most oppressive, because the most acute, feature of his life. Extreme brutality is the rule, almost without exception. It is a standing charge against our maritime law that it requires no qualification other than that of citizenship on the part of sailing-ship officers. In this respect the United States stands alone among maritime nations of any consequence. The result is that the men in authority on board American ships are chosen for their ability to "drive," *i.e.*, to beat, the men under them, rather than for their ability as seamen and navigators. The reputation thus attained finds its sequence in an *esprit de corps* leading to the commission of the most wanton brutalities conceivable by minds trained to ingenious methods of inflicting torture upon their subordinates, and undeterred by the fear of consequences, social or legal.

The frequent recurrence of seamen's charges against ships' officers, and the monotonous regularity with which these charges are dismissed by the courts, has created a feeling of indifference, and even scepticism, on the part of the public. The charges made by the seaman appear incredible when judged by the standard of conduct prevailing on land. But it must be remembered that the standard prevailing at sea is one of practical slavery, in which a *Legree* is an actual personification.

An investigation shows that during the past eleven years more than one hundred ships' crews have brought charges against their officers in ports of the United States alone. This list includes only those cases that have come most prominently before the public. Characteristic features of this record are: Fifteen deaths resulted from the treatment received; many cases resulted in the loss of limbs, eyes, or teeth, and in other injuries of a permanent character, including insanity; several suicides are attributed to persecution; only seven convictions were obtained, and, with one exception, the penalties inflicted were merely nominal; the names of certain ships and their officers recur frequently in the list.

This condition of affairs is due primarily to the construction of the law on the point. The statute provides that any officer who, "without justifiable cause, beats, wounds, or imprisons any seaman," shall be punishable by a fine not exceeding \$1,000, or by imprisonment not exceeding five years, or by both. Read conversely, the term "without justifiable cause" authorizes corporal punishment at the sole discretion of the ship's officer. Under this law courts and juries have consistently approved the declaration of accused persons that assaults upon seamen were justifiable, or, at any rate, that they were deemed such.

In this particular a radical difference is observable in favor of the ancient codes. The right to inflict corporal punishment, while vested in the port authorities in extreme cases, such as mutiny, causing the loss of ship and cargo, or assault upon the master, was specifically prohibited to ships' officers. The position of a shipmaster was deemed of such honor and importance that great care was taken to employ none but "honest and experienced" men. In addition to these qualities, the ordinances of the Hanse Towns required "good manners." In general, shipmasters were enjoined to refrain from "giving the lie" to, or physically abusing, their seamen. By Article XII of the Laws of Oléron, if the master gave a seaman the lie he was subject to a fine of eight deniers; if he struck a seaman the latter was required to bear with the first stroke, "be it with the fist or open hand," but if more than one blow was struck the seaman was authorized to defend himself. In the Laws of Wisby the principle of self-defence was still more clearly recognized in the provision that "if he [the master] strikes he ought to receive blow for blow." The present law of Russia—the only other nation which permits corporal punishment—contains a similar guarantee against abuse of the seaman in a provision limiting such punishment to five blows with a rope or knout "in case of saving the ship, masts, sails, or rigging" and to twelve blows on the back in case of "disturbance or mutiny, and in the direst emergency." In the latter case, however, the shipmaster must secure the consent of the "mate, boatswain, carpenter, and the oldest or best able seaman," failing which he must refrain from punishment and refer the case to the port authorities or the commander of a Russian warship.

The essential merit of these provisions over those of the United States law consists in their restrictiveness, both as to the measure of punishment and the method of administering it. Congress, in 1850, passed an Act prohibiting flogging on merchant vessels. The effect of that Act, instead of abolishing corporal punishment, was merely to

change its character from the specific to the general: it prohibited the cat, and, by implication, authorized the use of the belaying-pin and hand-spike. The license thus granted to ships' officers, combined with an extreme delicacy on the part of the public in matters relating to discipline at sea, has had the effect of constituting the former a class of legal and moral immunes. Even the Constitutional inhibition of "cruel and unusual" punishments fails of application in their case. The "exceptional" character of the seaman's calling is again cited in support of the theory that brutality is not cruel in his case: in the words of a recent popular writer, it only "looks cruel" (!) In short, no treatment, however harsh, is considered cruel or unusual when judged by the standard of the American "hell-ship."

These three features constitute the principal indictment against our maritime law. The remedy for them is contained in Senate Bill 95, now pending in Congress. That measure, if enacted, will entirely abolish imprisonment for desertion; it will limit Allotment to the seaman's relatives only, and make vessels, that is, shipowners, liable in monetary damages for injuries inflicted upon the seaman by the wanton act of ships' officers. As amended by the Senate on July 2, 1898, the Bill permits imprisonment for desertion in a foreign port, at the discretion of the court, but limits the term to one month. It is also proposed to limit the amount of allotment to "original creditor" to one month's pay, and to make the shipmaster liable in damages for cruelty to seamen.

These amendments have been suggested by way of compromise, and are entitled to favorable consideration as such. But experience justifies the belief that in practice these amendments would effect but little, if any, modification of existing evils. Whether the term of imprisonment be long or short, whether imprisonment be mandatory or discretionary, matters little: the bare possibility of that penalty operates to restrain the seaman from the exercise of personal liberty when his condition becomes unbearable. As the representatives of the shipping interests have said, the power of imprisonment would be effective as a threat held over the seaman *in terrorem*. The limitation of allotment to "original creditor" would not materially lessen the power of the crimping element, for the reason that, given any recognition, however little, they will retain control, by the device of "blood-money" and other ramifications of their business known only to the initiated, over a large part of the seaman's earnings. In fact, the limit of the crimp's power is not defined by statutory, but by economic, or wage, law: it is, in short, the "limit of subsistence." In the matter of the shipmaster's liability in

damages, it is obvious that the seaman would fail of redress because of the former's inability to respond.

The original provisions of Senate Bill 95 are justified, not only upon moral grounds, but by actual experience. The Maguire Act, passed in 1895, extended these provisions to seamen in the coastwise trade. That Act, despite much criticism at the outset, mostly by the class which it was intended to operate against, has proved uniformly beneficial, both to seamen and shipowners. The same result may be reasonably anticipated in the foreign-going trade. The abolition of imprisonment for desertion would not increase the number of seamen leaving their ships in foreign ports. For many years it has been customary to get rid of crews abroad in order to save the expense of their maintenance during long waits in port. Previously to 1884 this was done by forcing the crews, through ill-treatment, to desert. In that year an Act was passed providing for the discharge of seamen abroad by mutual agreement. This is now generally done, except in those instances in which the shipmaster finds it materially more profitable to retain his crew. The only practical change effected by the proposed law would be to induce the shipmaster who desired to retain his crew to treat them with some consideration, instead of, as at present, depending upon his power to retain them by force. So, with regard to Allotment and the personal treatment of the seaman, the interests of the shipowner under the original provisions of the Bill would lie in treating directly with the seaman, instead of with the crimp, and in employing officers qualified in their profession rather than in the characteristics of the blackguard and bully.

Other provisions of Senate Bill 95 deal with the working-hours at sea, so as to divide the day into "watch and watch," instead of keeping all hands on deck during the day and making the watchers alternate on duty at night, as is the present custom; the more prompt payment of seamen at the end of the voyage, thus obviating the necessity of incurring debt to the crimp; the right to claim one-half of the wages due at each port of lading and discharge; the inspection of vessels upon demand of a majority of the crew; the enlargement of forecastles; and improvement in the food and water scale.

With reference to the provision for the inspection of vessels, it is proposed that the right to demand inspection shall be vested in a majority of the crew, irrespective of the officers; since it is known that the latter prefer to take unreasonable chances rather than join in such a demand. Such a provision will bring the United States law on the point into accord with that of other nations. Great Britain, Germany,

Italy, and Denmark grant this right to crews independently of officers. In the British code it is stipulated that "one-fourth of the seamen, or not less than five," may demand a survey in case of unseaworthiness: three seamen may call a survey upon the food or water. The German statutes give the power of calling for a survey upon either the vessel or its stores to an officer or "not less than three seamen." The enlargement of fore-castle space from seventy-two to one hundred cubic feet per man, and the increase of the daily water-ration from three to five quarts per man, besides being necessary for ordinary comfort, will tend to lessen the scorbutic and other diseases which are exceptionally prevalent in American ships, as shown by the reports of the Marine-Hospital Service.

A Bill embodying these provisions passed the House of Representatives of the Fifty-fourth Congress. Will the House reaffirm its position in the present Congress? Such a measure commends itself, both upon the ground of justice and of expediency. In the early days of our national history it was freely asserted that the declaration that "all men are born free and equal" was "unfounded, false, and contrary to universal observation." As late as 1857 the United States Supreme Court, in the *Dred Scott* decision, gave effect to that sentiment by ruling that the Negro was a being of inferior order, and tacitly exempted by the Fathers from the Constitutional privileges of citizenship. But Jefferson's conception of the rights of man in his own person, kept constantly before the people, ultimately destroyed the slavery of the blacks. As has been well said,

"It was the preamble of the Declaration of Independence which elected Lincoln, which sent forth the Emancipation Proclamation, which gave victory to Grant, which ratified the Thirteenth Amendment."

Yet in 1897 the Supreme Court declared that the Thirteenth Amendment does not apply to American seamen. So far as that class is concerned, the declaration of men's freedom and equality is still a "glittering and sounding generality." Justice demands that the seaman be freed from this stain upon an honorable and important calling.

The question of expediency is simply the question whether or not a higher mental, moral, and physical standard in the seaman would be for the benefit of commerce; whether American seamen, native or naturalized, seeking employment on board American ships by choice, would be more efficient than the class of men now employed, and who alone can be secured under existing conditions.

The question is often asked: "Why does not the American boy go to sea?" Numerous replies have been ventured; but the most reasonable

inference points to an instinctive revulsion against conditions which he has been taught to look upon as the extreme of degradation. He sees the seaman brutalized at sea, robbed ashore, practically without redress, an object of pity and contempt. He sees in the American ship's crew the drift-wood of all races, driven to a desperate resource, sometimes as the alternative of hunger, and sometimes as an escape from imprisonment. At the present moment an American boy named Amos Stone, a native of Boston, and the son of respectable parents, is an inmate of a lunatic asylum at Seattle, Washington, as the result of treatment received at the hands of the officers of an American ship. Another American boy, Ephraim W. Clark, has been confined in Thomaston (Maine) Penitentiary for more than twenty-three years for mutiny under circumstances of the most extreme provocation. Such cases contain a sufficient explanation of the native American's aversion to the sea.

From a national point of view, the expediency of improving the merchant seaman's conditions is seen in his relation to the naval service. The feature of our naval equipment whose relative importance has recently been demonstrated above all others is the "man behind the gun." It was the latter who constituted the supreme difference between the fighting forces of Dewey and Montejó, of Sampson and Cervera. The man behind the gun in war is the man before the mast in peace. The merchant service is his training-school and recruiting-ground.

Looking at the nation's expanding horizon, and keeping in mind our recent experience in enlisting seamen, it is pertinent to ask how the naval defender of the future may be secured. Rear-Admiral Dewey has stated that we must have the best men, as well as the best officers, ships, and guns. Will they be found in the merchant service,—Americans, living under American conditions, and therefore qualified by understanding and impulse to defend their own and their country's heritage? Or will they be found, the pariah, the Ishmaelite, and the nomad, the dark and soddened scourings of the beach, the slaves whose only interest in the fortunes of war centres in the prospect of changing masters?

Now, when the Nation's heart goes out in gratitude for the exploits of her gallant seamen, no reward could be more appropriate, or afford stronger proof of sincerity, than the passage of an Act of Congress extending to the seaman in his private life the blessings of liberty and personal security. Such a measure would make the seaman a better American: it would make him a more efficient factor in time of peace, and would add power to his arm in time of war. W. MACARTHUR.

COALING-STATIONS FOR THE NAVY.

It is taken for granted that the reader, if an American citizen, is possessed of a love of his country, and has at heart all that pertains to her prosperity, her progress, and her standing among the nations of the earth; that, further, he desires his country to be ready at all times and at all places to defend the lives and property of her citizens, to aid in advancing civilization, to promote enlightened and humane government, to further the progress of the Christian faith, and to protect innocent people from barbarous and inhuman treatment. It is clear that these duties require a naval force commensurate in size with that of the country.

The navy, to be efficient, must have certain accessories. These change from time to time in accordance with the design and construction of ships. For instance, in the days of wooden ships a cruise of three or more years without docking was very common. Now, the iron and steel hulls of ships foul and corrode so quickly that it is necessary to dock the latter for the purpose of cleaning and painting their bottoms at least once a year, and frequently every six months. In addition to facilities for docking, it is necessary to have stations where provisions, ammunition, and coal may be obtained. The modern man-of-war is largely filled with steam machinery in order that high speed may be obtained. She is also heavily loaded with ordnance and armor. A large part of her stowage space is devoted to coal. It follows that little space and weight can be devoted to provisions; and some ships do not carry more than three months' supply. Again, with the old slow-firing, muzzle-loading guns, ships carried in their magazines sufficient ammunition to last during several prolonged naval actions. With the modern rapid-firing guns the magazines may be emptied in a few hours. By far the most serious problem is to obtain an adequate supply of coal. This is of great bulk and weight, and, except in the quiet waters of a harbor, very difficult to take on board. It is with this problem that the writer proposes to deal. It should be borne in mind that our warships now have no sail-power. Without coal they are as helpless as a dismasted sailing-vessel in mid-ocean. With coal and without ammunition they can fight with their rams and torpedoes, or run away.

The reader must remember that, in accordance with the Laws of Nations, every port is closed to a belligerent ship in time of war except under certain restrictions: viz., that a ship shall not remain in port longer than twenty-four hours, unless in distress or in need of repairs; that she shall not take on board any more coal than necessary to carry her to a home port; and that she shall not be permitted to take on provisions or stores which will aid her in any way to carry on war. The idea underlying these international rules is that a neutral shall give no assistance to one belligerent at the expense of another.

The ordinary coaling-stations for commercial ships are, as a rule, sufficient in time of peace for our ships of war. As we were at peace from 1865 to 1898, a period of thirty-three years, it is but natural that the necessities of war were lost sight of by the people. This article deals with the necessities of war alone.

If the average intelligent layman were asked if he believed in the Nelsonian method of sea-fighting, viz., to pursue the enemy to the ends of the earth, if necessary, and bring him to battle as soon as sighted, he would probably answer in the affirmative; not perhaps from any personal knowledge of sea-fighting, but for the reason that the reputation of Nelson as a sea-fighter is world-wide. Every intelligent reader is aware that he was one of the greatest admirals known to history. If the layman were asked if he believed in the acquisition of foreign island territory, or in what at the present time is termed "expansion," the chances are about one to three that he would reply in the negative. It would probably not occur to him that there was any particular connection between the two questions. It remains to be seen if any can be traced.

The ships of our navy, omitting monitors, torpedo-boats, etc., used for harbor-defence, have a steaming-radius of from two thousand to five thousand miles. There are very few with a radius above four thousand miles. In other words, these ships, if not delayed by gales or accidents, can steam from one to two thousand miles and return, provided the return is immediate. It should be understood that a ship of war constantly consumes coal, even when at anchor, for what are termed auxiliary purposes; viz., to run auxiliary engines, such as the engines of the electric generators, and steam pumps for flushing, for fire, for freeing the ship of water, etc., and for steam-ventilating-fans. Steam must also be constantly supplied for distilling water, and for heating, drying, and cooking. The modern ship of war requires all these auxiliaries for sanitary purposes. During the fiscal year 1897 fully 55 per cent of the coal consumed by the navy was for auxiliary purposes. Therefore, in

computing the necessary supplies of coal for ships of war, we must take into consideration the amount of coal used when not steaming. If a ship, after reaching her destination, be delayed for war purposes, the consumption of coal when not steaming is much increased, even though she be at anchor; for, under these circumstances, in order to prevent surprises and to be able to chase or to escape, the fires in all the boilers must be lighted, and must be kept in readiness for immediate use at high speed. The ships blockading the port of Santiago during the late war were an illustration of this fact.

It is well known that many authorities more or less familiar with the requirements of ships at sea consider that coaling-stations separated by a distance a little less than the steaming-radius of an ordinary ship are sufficient. This is true only in time of peace, when ships of war have to make ocean journeys. As an illustration of this fact reference is again made to the blockade of Santiago, where, in order to be ready at all times, with sufficient force, for the appearance of the Spanish squadron, it was necessary to have coal delivered to the ships on the spot, whatever its cost. This was accomplished, not without much trouble and expense, by means of steam-colliers. Rarely did a vessel of war have one alongside without some damage resulting, both to the war-vessel and to the collier. Eventually a coaling-station was established at Guantanamo, at a distance of only forty miles from Santiago. Even then, one of the most important battleships of the fleet, the "Massachusetts," was there coaling when the crucial moment came, and the Spanish ships made their exit. Happily her presence was not necessary. The point here made is the illustration of the necessity of having coal near at hand at the immediate theatre of war. If delivered on the spot by steam-colliers, a base of supply to fill the holds of the latter becomes necessary.

If the illustrations herein are correct and the theories sound, what are the necessities of a fleet that starts out, as Nelson's did, to pursue the enemy wherever he may go, until he is found and brought to battle? Of what value will be a fleet of fifty magnificent ships of war on the Pacific Coast, if the enemy is located in the China Sea and there is not a chain of coaling-stations, which have been previously well stocked, stretching along the distance of eight thousand miles from the Pacific Coast to China? Why, without them the fleet will be helpless.

It has been said by those who are opposed to the annexation of the Philippines: "If Dewey had only sailed away after destroying the Spanish fleet, we should have escaped this vexatious problem." It is

presumed that they meant "*steamed* away," since Dewey's ships practically have no sails. The question that immediately presents itself to a naval officer is, Where could he have gone? The nearest United States port was then 7,000 miles from Manila. Honolulu, which did not belong to us at that time, is 5,000 miles from Manila. The public does not yet realize how much Dewey had at stake when he entered Manila Bay. He had to win, and further, to capture a base for his ships, where they could receive supplies of coal, provisions, ammunition, etc. No retreat was open to him.

When it was proposed to send a small reinforcement to Dewey during the latter part of the war, it was necessary to provide sufficient coal to carry those ships to Manila. The distance from New York to Manila, *via* the Suez Canal, is 11,500 miles. Not a ton of coal could be counted on from neutrals, as our ships were headed for an enemy's territory for hostile purposes. It was necessary to send a "covering squadron" part of the way with the reinforcing ships; and it was estimated that, in addition to full bunkers upon the part of every ship when starting, 40,000 tons additional coal would be required. This amount was provided and carried by eleven steam-colliers. The latter vessels were held in readiness at Hampton Roads for many weeks. Such a collection of cargo steamers greatly hampers the mobility of a fleet of warships. They are slow; they have single screws and are much more liable to accidents than warships; and, finally, they require convoy. It is true that the Government colliers during the war carried a few light guns and trained officers and men, rendering them less helpless than merchant steamers. The most serious part of the problem, however, was the transfer of coal from the colliers to the warships. The necessity for smooth water for this purpose has already been alluded to; and it is exceedingly difficult to find such outside of neutral waters. The latter are not available, because neutral territory cannot be used as a base of operations against a Power friendly to the neutral. Of course the harbors of an enemy can be made use of, if they can be captured and are safe for such purposes. In the instance referred to above this problem was left to the commander-in-chief to solve.

The writer desires to present here the question of the future status and use of our fleet in the Atlantic. Our ships can barely cross the ocean without coaling, not to speak of their return. Some of them cannot do even this. Under these circumstances what influence can our fleet ever have anywhere along the eastern shores of the North and South Atlantic oceans? England has her Halifax, her Bermuda, and her Jamaica,

where there is not only an abundance of coal, but there are docks and all naval stores needed by the fleet, with cable communication between the stations. It is fortunate for us that these stations are English; but it is our duty to see that no more naval bases are established within striking-distance of our coast. In this connection the attention of the people of this country is called to the fact that the Danish West Indian Islands are for sale.

At present our ships in time of war can only cruise up and down our coast and advance to the eastward a limited distance not exceeding one-half of their steaming-radius, and must always keep a sufficient coal-supply to return to a port where their bunkers can be replenished. On account of delays caused by gales, fog, etc., it will not do to figure too closely on the steaming-radius of any ship. Again, when it becomes necessary to chase at full speed, the consumption of coal per mile is much greater than when going at moderate speed. When this country was in its infancy, with a small population, poor in everything except courage, our ships roamed the seas over and visited every ocean. They burnt, sunk, and destroyed the enemy's ships in sight of their own coasts. The "Essex," with Porter, was for a long time master of the Pacific; and rich prizes surrendered to our cruisers in the Indian Ocean. Are we to remain content without means to accomplish as much to-day?

When we pass between the Pillars of Hercules and enter the Mediterranean, do we leave all rights behind? Are we not entitled to some recognition along the highways of commerce? Is the work of Preble, Decatur, Bainbridge, and Somers in suppressing piracy on the Barbary Coast worth nothing? Are not our missionaries and merchants in the uncivilized Levant entitled to some protection? How can an appeal to force be made there without a naval base, and how can the Nelsonian method of sea-fighting be carried out without a station for coal and supplies? Are the political problems so great and so complex that we dare not acquire territory in this closed sea? Were the blood and treasure poured out in the Algerine wars nearly a century ago poured out for naught? After being the first to subdue the enemies of civilization along the North African Coast, are we without any rights there now? Can we not fairly ask for one small refuge for our ships on this coast that is being parcelled out among the nations of Europe?

At one time during the recent war it was considered necessary to assume the offensive on the Spanish Coast; and preparations for so doing were made. Contemplate the difficulties attendant upon an attack with

modern ships on a coast with modern means of defence 3,300 miles from a base of supplies. Had Spain possessed sufficient moral courage to have kept her fleet at home, and abandoned her West Indian possessions,—which were lost to her the moment war was declared,—as every strategical reason dictated, the problem would have been vastly more difficult than it was after the destruction of Cervera's fleet. Such an attack could have been successfully made only by first capturing the Canary Islands and using them as a base.

We are now apparently contemplating with indifference the carving up and serving out of the great continent of Africa to the nations of the earth. Indeed there is not much of any value remaining. Is not the hard work of our navy for many years on the Atlantic African Coast, while engaged in the suppression of the slave trade,—thereby advancing civilization,—worth one small harbor for use as a naval and mercantile base? Is our own sable child, Liberia, to be abandoned and left as prey for any land-grabber that comes along? Have Mozambique, Zanzibar, Madagascar, and Muscat, where our Salem merchants and ship-owners led the way, no longer any charms for us? Or is it to be said that the Monroe Doctrine prevents us from ever going east beyond our own shores with our warships, except in time of peace. Would the author of that famous declaration have subscribed to such a sentiment? Is this great country, because of a wise policy, finally incorporated among its unwritten laws for the purpose of self-defence, to abandon all naval influence on the shores of Europe and Africa? If it is to be done, it should be done with eyes wide open, and only after careful and deliberate consideration and with a full knowledge of what it means.

It means that in future, whatever the circumstances, however just the cause, our naval ships cannot, in time of war, follow an enemy to the shores of Europe and Africa. In other words, it means that we cannot adopt the Nelsonian method of sea-fighting. Does not history prove that war is ended by the destruction of sea-power more surely, more certainly, and more quickly than by any other method? Was not the late war with Spain ended by the destruction of the Spanish fleets at Manila and at Santiago? Of what moment to Spain was the loss of the eastern end of Cuba? It had been lost for two years. The Spanish fleet at Santiago was destroyed because it came to our own shores, and thereby aided us to end the war. Its difficulties in procuring coal in the West Indies are a matter of history. It could not strike our coast for want of coal. Are we to place ourselves in the same impotent position with reference to Europe and Africa? Is not

our geographical position an indication and a proof that any future attack against this country must be naval? Such an attack can only come from the east. Shall we not have the necessary accessories to enable us to destroy an invading force, even before it leaves its own shores? How are we to do so without a coal-supply-station somewhere on the other side of the Atlantic? Perhaps some Anti-Expansionist can answer this question.

As commerce will not flourish where it cannot be protected, it means that commerce must be totally abandoned in these waters. It means that we renounce forever the proud position we held forty years ago, as one of the chief carriers of the commodities of the world; that the Stars and Stripes, which waved from the gaffs of hundreds of the finest clippers the world has ever known, are to be seen no more on merchant ships in the busy European ports; that the hardy seamen, the outer bulwark of the nation's defence, who sailed their ships across the stormy Atlantic Ocean in winter and in summer, in storm and in sunshine, are to disappear; and that we are to continue to pay out our hundreds of millions to the owners of foreign bottoms for transporting our products to European and African ports. To be sure, the ocean greyhound and the tramp steamer have largely supplanted the clipper. These, however, require less skill and nerve to navigate than did the white-winged ships of half a century ago. It means that history hereafter will record that the United States had ceased to take the part in promoting peaceful commerce that she had done in the past, on the coasts of Africa, in the Dardanelles, on the Scheldt, and at the entrance to the Baltic; for of what value are words and diplomatic representations without force to back them up? It is positively known that the *prestige* of the United States has been doubled at the courts of Europe since the naval battles of Manila and Santiago. It is also known that some of the European Powers are becoming alarmed at the appearance of another Anglo-Saxon naval Power which must be taken into consideration in future political combinations.

And now let us turn to the south and glance at the map of the West Indies and the Caribbean Sea, located at our very doors. The building of an isthmian canal in the near future is a certainty: it will be a highway between our Atlantic and Pacific coasts, and must be guarded as an army defends its line of communication over which pass its supplies and sinews of war. In future our maritime interests cannot be greater in any part of the world away from our own coasts than in the vicinity of the Caribbean Sea and the Isthmus of Panama. It is of paramount importance that we have coaling-stations and depots

for supplies located near all the great strategic points in the West Indies. Commencing at the west, the first is the Yucatan Channel; next, the old Bahama Channel; next, the Windward Passage between Cuba and Hayti. It is presumed that we have at present, and will have in the future, sufficient authority to insure stations in Cuba near these important places, where coal may be obtained. The next important position is the Mona Passage, between Hayti and Porto Rico. The port of Mayaguez, at the west end of Porto Rico, can be made a fair coaling-station: Samana Bay, Santo Domingo, is a better one. Passing on eastward, next comes the Virgin Passage, which may be controlled by ships supplied from ports at the east end of Porto Rico. West of this passage is the Danish island of St. Thomas, with the harbor of Charlotte Amalie. This should be by no means neglected and should never be permitted to pass into the hands of a commercial or naval rival. We need another coaling-station somewhere on the Spanish main; we must have coal at the termini of the isthmian canal; and we should absolutely possess Chiriqui Lagoon for a naval station, with docks, repair shops, and all supplies.

We have great interests on the eastern coast of South America. On account of our intention, publicly declared, to maintain the sovereignty of the territory of the South American republics against any aggression on the part of a European nation, it is but natural to suppose that we might expect some compensation from these republics. Further, that this compensation might be in the nature of an extension to us of facilities for war purposes, such as coaling-stations and depots for supplies at strategic locations. It is necessary for us to possess sovereign rights over any such stations, in order to prevent complications during war. It is not believed, however, that the South American republics consider themselves under any obligations to this country, notwithstanding the fact that there have been critical periods in the history of more than one when the services rendered by us were of the greatest value. It is not believed that we can rely, in time of war, upon the good-will of the South American republics to the extent of supplying us with coal and other naval necessities. The attitude of Chile in 1891, and during the recent war, is not promising in this respect. Therefore, it would seem a necessity to provide two or three stations between Cape Horn and the West Indies where our ships might replenish their coal-bunkers.

We now pass to the Pacific Ocean, once claimed by Spain as a *mare clausum*. It would seem that the greater part of the mantle of Spain's possession, whatever it was, has fallen upon the shoulders of

this country. We have possessed for a long time a golden empire to the eastward of this ocean; and now we are about to take possession of another to the westward. It behooves us to see that the line of communication between the two is not endangered by any Power likely to be hostile to us. The distance from San Francisco to the Philippine Islands, by way of Honolulu and the island of Guam, is about 7,000 miles. The first stopping-place on the journey, going west, is at our recently acquired possessions, the Hawaiian Islands, 2,100 miles from San Francisco. The value of these islands for coaling and naval stations, and as a strategic point of defence for the Pacific Coast, cannot be overestimated. The harbor of Honolulu is small. It is located about one mile from the open sea; and ships drawing twenty-eight feet of water can enter and moor alongside of its docks. Two slips, two piers, and a coal-storage capacity of 20,000 tons, exclusively for the use of naval ships, are in process of construction at this port. At a distance of about five miles west of the entrance to Honolulu is a magnificent land-locked sheet of water, called Pearl Harbor: at present ships of even moderate draft cannot enter it, owing to the formation of a bar near its mouth. When this bar is dredged, and the navigation of the entrance improved,—which can be done at moderate expenditure,—Pearl Harbor will present a most favorable location for a complete naval station, located from four to five miles from the open sea, with excellent means for defence. It should be our policy, in future, to locate there a naval dockyard such as found at Halifax, Bermuda, Jamaica, Gibraltar, Hong Kong, Cape of Good Hope, Australia, Esquimalt, and other British colonial possessions.

The next stopping-place belonging to us, as we pursue our journey to the westward toward the Philippines, is the harbor of Port San Luis d'Apra, Island of Guam, one of the Ladrone, or Mariana, group, recently acquired from Spain by treaty. The distance from Honolulu to Guam is 3,337 miles. While most of our ships can steam this distance without being obliged to replenish their coal-bunkers, not all can do so; and it is entirely too great a separation of coaling-stations for efficient war purposes. The "*Raleigh*," now *en route* to the United States, is obliged to come *via* the Suez Canal, as she cannot steam from one coaling-port to another in the Pacific.

The Ladrone Islands have always belonged to Spain. They comprise all the islands lying within that portion of the earth's surface bounded by the 13th and 21st parallels of north latitude, and the 144th and 146th meridians of longitude east of Greenwich. The group is made up of

seventeen islands, running nearly north and south for a distance of about 500 miles. Only five of these islands are inhabited: these are Guam, Rota, Tinian, Saipan, and Agrigan, mentioned in their order from south to north. The total population of the group is about 10,000, the larger part of which is on the island of Guam. The inhabited islands are healthy and fertile. There are several active volcanoes in the group on the uninhabited islands; and earthquakes and severe gales occasionally occur. The rainy season extends from November to the middle of April; the prevailing winds are northeast, though in summer for three months they are from southeast to southwest; and the average temperature ranges from seventy to eighty degrees Fahrenheit. Supplies of food and water are abundant at Guam. Tanapag in Saipan, and San Luis d'Apra in Guam are the only harbors worth mentioning in the entire group, all other anchorages being exposed and unsafe open roadsteads. Of the two, San Luis d'Apra is the better: the harbor of Tanapag is not well surveyed or well known. Only the island of Guam has been acquired by treaty, the other islands of the group remaining in the possession of Spain. Its nearest neighbor is the island of Rota, thirty miles north, Guam being the southernmost of the group. The harbor of Tanapag, in Saipan, is one hundred and twenty-five miles from the harbor of Port San Luis d'Apra. The population of the group is now made up of natives from the Philippines and the Caroline Islands, with a few Spaniards and their half-breed descendants.

Guam is about thirty-two miles long, and from five to eight miles wide. It was the port of call for the treasure-laden Spanish galleons which went yearly between Manila and Acapulco. It has only a fair harbor: coral reefs extend out from its shores, for the most part, from one to two miles. Even small boats can pass over these reefs only at high water. There are no piers, lighters, storehouses, or other means for landing cargo, and but few inhabitants. The town of Agana, located about six miles from Port San Luis d'Apra, on the shores of the open sea, contains about 6,000 inhabitants and is the capital of the island. It possesses good Government buildings, a hospital, churches, schools, etc. It is said that 90 per cent of the inhabitants can read and write. The harbor has no buoys or other means of marking dangers to navigation. Much work is necessary before an efficient coaling-station can be established at this island. First, a survey is required; and for this purpose a ship is already on the way to the island. Until a coaling-depot can be established, coal will be supplied by means of Government steam-colliers, one now being *en route* from Manila. Admiral Ammen, who

visited the Ladrone Islands in 1846, says in his book, entitled "The Old Navy and The New": "Nowhere in the wide world has Nature been more lavish with her treasures to men than on the Island of Guam, or more earnest in sparing him pain."

It is 1,750 miles from Guam to Manila, *via* the north end of the island of Luzon, and 1,506 miles *via* San Bernardino Straits. The latter separate Luzon from the island of Samar. While these straits are navigable, they are not well surveyed and charted. The Philippine Islands have been so frequently described of late that only their general characteristics need be mentioned here.

It is estimated that there are at least one hundred good harbors in the group. The islands are so closely crowded together that vessels can anchor almost anywhere among them. Coaling-ports can be established as desired. The following harbors, on account of their location and the excellence of their protection, are the most important:

Harbor.	Island.
Manila	Luzon.
Malampaya Sound	Paláwan.
Iloilo.....	Panay.
Cebú.....	Cebú.
Pollok.....	Mindanao.

Malampaya Sound, Paláwan, is a most valuable site for a naval station. The extent of the indentation is nineteen miles, with a width of two to four miles. The entrance is three-fifths of a mile wide and between high headlands. The inner half of the Sound is approached by passing through another narrow channel with the most perfect means of defence. Within is a broad, open harbor, six to ten fathoms deep, with good holding-ground. There is an abundance of good fresh water.

Other valuable harbors may be discovered when the group is well surveyed. All charts of the islands and their adjacent waters are now very defective.

Coal will probably be found in nearly all of the large islands: their geological characteristics indicate its presence. In addition, the group occupies a position midway between the great coal-producing islands of Formosa and Borneo. Coal is now being mined on the island of Batan. It has been mined considerably on the island of Cebú, mining operations having been suspended only for the want of transportation facilities for the coal. It has been stated upon excellent authority that the Cebú coal is superior to the Japanese and of about the same quality as Australian.

In addition to Batan and Cebú, coal is known to be present on the islands of Luzon, Negros, Masbate, and Mindoro.

The Philippine Archipelago, largely forming the eastern boundary of the China Sea, occupies a most favorable position both from a military and a commercial point of view. The Straits of Mindoro, located between the island of that name and the island of Palawan, is a great highway for commerce between the coast of China and Australia and the Polynesian Islands. In fact, the entire commerce of the China Sea is within easy striking-distance of Manila harbor. Hong Kong is only six hundred miles distant. Manila in future is sure to become a great commercial entrepot for trade between the United States and China and Japan. It is about one thousand miles from Manila to Shanghai. This distance is too great for vessels of war to pass to and fro for coal; and the United States should possess a coaling-station somewhere near the mouth of the Yang-tse-Kiang or in the Yellow Sea.

It is always best to have coaling-stations isolated by means of a water boundary. An island with a good harbor and with good natural means of defence presents the most favorable conditions for such a station. One of the islands of the Chusan Archipelago is suggested as a most valuable acquisition to this country for a naval base. With the recent concessions made by China in the way of granting territory to other first-class nations, it would appear that the United States might, with becoming modesty, ask for one of these islands.

Let us now return to the Pacific Ocean, which we cannot guard too carefully against the inroads of foreign rivals. We need coaling-stations in the Aleutian Islands and on the Alaskan coast. These being our own possessions, such stations will come in due time, it being purely a question of money available for that purpose. The same may be said of locations on the southern or United States side of Puget Sound. The next station south is San Francisco, where there should be a very large depot for the storage of coal.

All of the coal mined on the Pacific Coast is a species of lignite, which is inferior for steaming purposes and not sufficiently good for naval use if other can be obtained. As it is about 15,000 miles from the coal-shipping ports of the Atlantic Coast to San Francisco, and as it takes from four to five months for a sailing-ship to traverse that distance, it can be readily understood why a large stock should be kept in store in San Francisco harbor.

In this connection, it is interesting to state that there is kept in store at Malta for the British navy from 125,000 to 150,000 tons of the

best Cardiff coal, although Malta is only about 2,000 miles from the source of supply.

It may not be generally known that, owing to the shallow water on the bar, the harbor of San Francisco cannot be entered at all stages of the tide and during all kinds of weather. The only harbor south of Puget Sound where this can be done is Magdalena Bay, on the coast of Lower California which belongs to Mexico. This bay is a magnificent sheet of water, perfectly land-locked, and presents one of the most important locations for a coaling-station on the Pacific Coast. Puget Sound, the Hawaiian Islands, Magdalena Bay, and a port near the Pacific terminus of the proposed transisthmian canal, are the most important strategic locations for coal-supply-stations anywhere in the Northeastern Pacific Ocean. It needs no argument to establish the fact that a coaling-station on the Pacific side of the Isthmus of Panama is absolutely essential. Fortunately, there are several harbors there from which a selection can be made.

If a map of the Pacific Ocean be examined, it will be seen that the line of communication between Hawaii and the Philippines by way of Guam is flanked by numerous islands extending east and west for a distance of about 2,500 miles. The eastern islands are known as the Marshall group, and were taken possession of by Germany in 1885. This group is composed of 46 islands, with a land area of 150 square miles and a population of 10,000. The group is made up of flat coral islands and atolls. The islands are poor in vegetation; and the natives draw their food-supplies chiefly from the cocoa-nut, pandanus, and bread-fruit trees. Yams, bananas, and taro are cultivated to some extent. The German capital is at the island of Juluit, which is also used as a naval base. The harbor is said to be a poor one. The native men are excellent sailors.

South of the Marshall Islands is the Gilbert group, annexed by Great Britain in 1892. This group, located on the equator, consists of 16 islands, all coral reefs or atolls. There is very little soil on them, and scarcely any vegetation except cocoa-nut and pandanus trees. These islands are densely populated, containing about 40,000 inhabitants. They have only about 170 square miles of land. Food-supplies are chiefly obtained from the sea.

West of the Marshall group are the Caroline Islands; and west of these the Pelews. The Pelews are frequently classed with the Carolines; and both will be considered together. These islands were discovered by the Portuguese in the early part of the sixteenth century. They were

visited by Spanish expeditions during the later part of the seventeenth century and the early part of the eighteenth. Later they were claimed by the Spanish; but no attempt to take possession of or govern them was made until 1886, when Germany hoisted her flag on the island of Yap. The Spanish Government objected to this act; and eventually it was disavowed. During the excitement in Spain following the seizure of Yap by Germany, Señor Castelar stated in the Cortes that after Spain the United States had the next claim to the Caroline Islands, on account of the labors of American missionaries there. During the following year, 1887, Spain took possession of the Carolines, and established a small garrison with a governor on the island of Ponapi, one of the easternmost, and another on the island of Yap, one of the westernmost. As these islands, extending east and west for about 2,000 miles, are within one day's steaming-distance from the direct route between Hawaii and the Philippines, their future disposition is a matter of vital importance to the United States. For the most part they are located between the parallels of 5° and 10° north latitude and the meridians of 134° and 164° of longitude east of Greenwich. They consist of 48 islands or small groups of islands: 43 are of low coral formation, and 5 are basaltic. The latter are surrounded by coral reefs and are in places from 800 to 2,800 feet above the level of the sea; they are also densely wooded and well watered. The Carolines have a land area of about 500 square miles, and a population of 40,000. The chief islands are Ponapi, Kusaie, Yap, Lukunor, Ruk, and the Pelews. Nearly all of the islands have excellent harbors; and some of the latter are as well sheltered as a wet dock. Our own ships have explored and surveyed many of these harbors. The island of Wolea, possessing an excellent port, is nearly due south of Guam, and less than 300 miles from it.

The distance from Honolulu to Ponapi is 2,655 miles; to Kusaie 2,445 miles. From Ponapi to Guam it is 900 miles; and from Kusaie to Guam, 1,204 miles. From Ponapi to Manila, *via* the San Bernardino Straits, is 2,361 miles; from Kusaie, 300 miles additional. The Pelews are 600 miles, and Yap is 750 miles, from the Philippines.

All of the Caroline Islands are healthy; and they are outside of the zone of earthquakes and violent storms. The natives are docile and much attached to their American teachers.

American missionaries first went to the Caroline Islands from Honolulu in 1852. They made their headquarters on the islands of Ponapi and Kusaie, which are the best adapted for residence. At that time the inhabitants were ignorant and savage. From these two islands the

missionaries commenced to work among the adjacent islands, including the Gilbert and Marshall groups. Their plan was to bring young men to Ponapi and Kusaie from other islands, and, after educating and training them as teachers, to return them to the islands whence they came, to instruct the natives. The best results were obtained on the island of Ponapi. On that island there were no less than 15 churches in 1887. To-day on the island of Kusaie nearly every person can read and write and speak English. For thirty-five years after missionary work commenced there was no form of government on any of the Caroline Islands except that administered by native chiefs. Such was the condition of affairs in 1887, when Spain took possession of Ponapi. A governor, 50 soldiers, 25 convicts, and 6 Roman Catholic priests were sent from Manila. The American missionaries were promptly expelled. Once only since that time has their missionary vessel, the "Morning Star," been allowed to touch at any point on the island except under the guns of the Spanish fort; and intercourse with the natives has been strictly prohibited. In short, all missionary work on the island has ceased. The natives have refused to have anything to do with the Spaniards and have withdrawn into the interior. No attempt has been made by Spain to control any other of the Caroline Islands, except the island of Yap. Kusaie remains the headquarters of American missionaries.

In possession of a hostile nation, these islands are capable of becoming very formidable naval bases from which attacks on the line of communication between the Pacific Coast and the Philippines can be made. Is it not time to apply the Monroe Doctrine to the North Pacific Ocean?

The only interest we have in the great South Pacific Archipelago, with its vast island territory, is at the Samoan Islands. Notwithstanding the fact that this country explored and surveyed many of the islands in the South Pacific more than fifty years ago, our claims have narrowed down to being one of three nations forming a protectorate over the above-mentioned islands. By treaty with the Samoan Government—previously to the formation of this tripartite Government, consisting of the United States, Great Britain, and Germany—the United States secured a lease for a coaling and naval station at the harbor of Pago Pago, on the island of Tutuila. In accordance therewith, this Government is about to construct, at Pago Pago, facilities for storing coal. The question arises as to what complications would follow if this station were used for supplying ships with coal during a war. The other members of the tripartite Government, if neutrals, might consider it unfriendly to permit

the use of that harbor for such purposes. Possibly it might be. Greater complications might ensue if one of the members of the tripartite Government were itself at war with this country. It is therefore urged that these islands be divided, the United States to obtain absolute sovereignty over the island upon which it has had a claim for many years.

It is absolutely essential to have a coaling-station somewhere on the western coast of South America, either on an island or on the mainland. The absence of such a base of supply is very much felt at present, and will be accentuated after the completion of the isthmian canal.

The question of coaling-stations has been considered thus far solely from a military point of view. The commercial side of the question is more attractive to the economist. Great Britain, by her colonial enterprise, has made herself the financial clearing-house of the world and the mistress of the seas. She has acquired vast markets for her manufactures by the annexation of colonial territory. Her coaling-stations are, as a rule, a source of revenue rather than expense, or, as a writer has said, are assets rather than liabilities.

In this paper the effort has been made to deal only with facts. What are the wishes of the American people with regard to those facts?

R. B. BRADFORD.

AT THE NEW YORK THEATRES.

ABOUT four years ago, in an effort to find out what was being done in the interest of dramatic art in New York, I spent every evening of one week at a theatre; and, keeping a diary, I published in *THE FORUM* an account¹ of what I saw, with a few frank observations as to the cause of a bad condition, and some modest suggestions as to a means for the betterment of that condition. I have just had a similar experience. I did not go to the theatre every evening for a week,—I could not so arrange my engagements,—but I went to eight performances in a fortnight, and so saw the most notable pieces contemporaneously on the stages of the leading theatres.

I must say that, both as entertainment and as art, the conditions have vastly improved. I must also say that the improvement has not been brought about at all in the way that I suggested in my former article. My idea then was, and for that matter still is, that theatrical management has been made entirely too commercial, and that the actor has been so subordinated that he is merely a hired man, like any other servant; not being permitted to carry out to any extent his own ideas as to plays to be produced, or parts to be taken, or methods of playing parts after they have been assigned. The managers, I then said, were merely amusement purveyors, with no concern for anything else than the weekly balance-sheets. They are still that, and nothing more. I ought to say, however, for fear of being misunderstood, that the managers are not in the least to blame for their attitude. They are business men; and as such they would be very foolish to measure a play or a company of actors by any standard other than that of the box office. But this is very bad for dramatic art. The business men who have become managers are not to blame for what they have done. They have merely taken advantage of opportunities that were offered. The blame-worthy are the actors themselves, who have surrendered their rightful place in theatrical control. If they ever regain control, it will be through the establishment of an academic theatre which, in object,

¹ "A Week in New York Theatres," *THE FORUM* for March, 1895.

in permanency, in dignity, and in character, shall resemble the subsidized theatres of the Continent.

The improvement in conditions from four years ago is quite marked. Then sex problems were in vogue: then every new play had unchastity for its theme. The public must have tired of all this drivel and vulgarity; for in the new plays what there is of this is subordinate, rather than ever at the front. This is a very distinct gain; and we should be grateful for it, no matter whence or why we got it. But I shall defer further reflections till I have reported on what I saw on my visits of observation.

Tuesday, November 15.—The Garden Theatre: Mr. Richard Mansfield in Edmond Rostand's "Cyrano de Bergerac." This is a very wonderful play. In Paris it has excited more interest, and received more praise, than any drama produced for a quarter of a century. In France Rostand, the young author, is proclaimed a great poet and a great dramatist. He is placed by some on a plane with Molière: by others he is said to be in the same class as Shakespeare. His drama is certainly a great production, both as a poem and as a play. Whether it deserves to rank so high as some would place it, is a question foreign to the purpose of this article. But it is gratifying to all sincere lovers of the drama that such a play should have been written at this time, and even more gratifying that such a poem should be so entirely pleasing to an audience of the day. We have been told that modern audiences would not have this and that: we have been told that they wanted either coarse and suggestive merriment or depictions of the downright filthy life which is chronicled in the gossip of the daily press. Optimists have never believed this. Now appears Rostand's play; and crowded houses are thrilled through a long performance of a drama which is a poem from beginning to end. The public has never lost its taste for what is truly great and good.

There is a very large cast needed for this play,—forty-three men and nine women;—and in most of the scenes the stage is pretty well filled with people. And yet, when one comes away, he remembers with distinctness only the two central personages, *Cyrano* and *Roxane*. That he does not recall the others, is evidence that the actors in the minor parts do what it is theirs to do very acceptably and do not make disorders. This, I take it, is as it should be; for these others are but accessories. *Cyrano* and *Roxane* are the play—his love for her, and her love for the soul of him.

As the play and its hero were so fully described in a recent number of *THE FORUM*,¹ it does not seem necessary to tell again the story of the poem at this time except in barest outline. *Cyrano de Bergerac* was a Gascon soldier of the earlier half of the seventeenth century. In real life he was a roistering, quarrelsome duellist of wonderful success in his encounters with the sword. After he left the army he wrote several plays, two of which were produced shortly before his death. He had a large nose, which was much disfigured by the slashes it had received in numerous fights. This is the person Rostand makes the hero of his poem, the motive of which is the love of *Cyrano* for *Roxane*, and the restraint upon his love because he knows that his disfiguring nose will prevent any woman from considering him as a possible lover. Just, however, as a faint hope is awakened he learns that *Roxane* has given her love to another,—a dull-witted, but handsome, youth, quite unworthy in everything save beauty. *Cyrano* desires that *Roxane* shall be happy and that he shall in a measure contribute to it. He, therefore, decides to assist the handsome lover in his love-making. And so the words that are spoken, the letters that are written, are *Cyrano's*; and he is at least partly the lover who wins the fair lady. This is the theme; and just as *Cyrano* dies *Roxane* learns the truth. Such are the outlines of the story upon which Rostand has constructed the most successful play of this end of the century.

If this play were not beautifully acted, it would be intolerable. But the performance at the Garden Theatre left little to be desired. Whether Mansfield's *Cyrano* is equal to that of Coquelin it is bootless to inquire: whether or not it is an imitation of Coquelin's it is profitless to ask. But it is very satisfactory. In the first act the enunciation was so rapid that I could understand very little of what *Cyrano* said. I had an idea that if I had not been familiar with the play I should have been quite bewildered. I cannot be sure of this, however, for I do not believe that a majority of the audience had read the play; and yet I never saw a house filled with people more absorbed in what was happening on the stage. Before the second act was finished the illusion was complete; and thereafter the audience—critics, dullards, and all—lived on the stage, lived with the actors, who did not seem actors, but real men and women who joyed and suffered, who fought and died. I cannot recall an illusion of the stage that has been so complete and so prolonged. Here was a triumph both for author and for actor.

¹ "Cyrano de Bergerac," by MR. GUSTAV KOBÉ in *THE FORUM* for December, 1898, p. 502.

In my twenty years of visits to the New York playhouses we have had nothing new of a class so high as this. Indeed, I am inclined to put it in a class by itself. It appears to please all persons, each according to his or her capacity for appreciation. I heard a literary man say a little while ago that he did not care to see "Cyrano" on the stage because the poem had delighted him so greatly that he feared to have his pleasure spoiled by those who spoke the lines. He was persuaded to go, and was grateful indeed to those who urged him out of his original determination. On the stage, as acted by the company at the Garden Theatre, the poem became even more poetic, and the beauties, which seemed to the critic too elusive and fine for the actor's art, took on new beauty. All this proves that Francisque Sarcey was right when he said, in his critique of the first performance, "A poet is born unto us; and what charms me most is, this poet is a man of the theatre."

Thursday, November 17.—The Knickerbocker Theatre: Mr. Hall Caine's "The Christian." This is a very distressing melodrama, and is a dramatic rendering of Mr. Caine's novel of the same name. The novel, it will be recalled, had great popularity all over the English-speaking world; the great reading masses finding it very much to their liking; while the critics and all others who were jealous in the defence of good taste and art in literature declared that it was vulgar, ill-written, slipshod, and maudlin. The same may be said of the play, and with more positiveness. We need not blush when we read even what is utterly silly in a book; but when the same thing is put upon the stage greater force is given to it and we see it with much greater vividness. When it is hopelessly maudlin and vulgar, we can hardly refrain from a certain kind of angry displeasure. And when such sloppy sentimentality is exposed as that in "The Christian," this angry feeling is accompanied by a certain kind of despondency; for we see that the majority of the audience like immensely what has been constructed for them.

It is not necessary for me to tell the tale. The book has been so generally read and discussed that most persons are familiar with it. But its utter unreality was not shown in the book as it is on the stage. In life there are no such stilted heroes as Hall Caine's: in life there are no villains that approach his in the hopeless vulgarity of their villainy. But really the heroes are more vulgar than the villains; for the heroes preserve a seriousness through it all, while the villains say "Hah, hah!" between their teeth, as they rush off the stage, and thereby impress upon us the fact that they are only making believe. There is an attempt

now and then to be witty in the play; and these witticisms hit the mark. However, the chief villain's "Hah! now he is mine" is genuinely funny, and relieves the sad tension of the situations most wonderfully.

"The Christian" is one of the most successful plays, from a business standpoint, that has been acted for years; and it is likely that its production in this country will result in very great gain for the author. How it will take in England is another matter; for Dissenters are not popular there, except among themselves. The hero, it is true, is an ordained clergyman of the English Church; but in practice, in sentiment, and, most of all, in speech, he is a Dissenter of Dissenters—a Salvation Army laddie in the robes of a priest of the Roman Catholic Church.

It was hard for me to sit through this play, which consists really of five acts. When two acts were finished I should have fled; but I had not the heart to disturb the four weeping women between me and the aisle and so interrupt the luxury of their tears. They were having a "rare good time."

The play was entrusted to very skilful hands; and the actors were forceful in carrying out what the melodrama demanded of them. Their accomplishments as players had a double effect; for they made the scenes more delightfully distressing to those who liked them, and accentuated the vulgarity of the situations and the sentiments to those who liked them not.

Saturday Evening, November 19.—Wallack's Theatre: Mrs. Frances Hodgson Burnett's "A Lady of Quality." This was founded on the very successful novel of several years ago, which the literary critics were agreed was on a higher plane of workmanship than anything else Mrs. Burnett had done. Some found fault with the morals of the book, and asserted that those who did wrong should not be permitted to escape the consequences. But no large section of the public demands that art shall always be preaching sermons; and so Mrs. Burnett's book was widely read, much discussed, and very genuinely enjoyed. A year ago it was produced here in its dramatic form, the same charming actress, Miss Julia Arthur, taking the principal part.

The scene is laid in the beginning of the eighteenth century; and the heroine, *Clorinda Wildairs*, is the daughter of a dissolute baronet. She dresses in boy's clothes, rides astride in the hunting-field, swears like a stable-boy, and is at once hoyden, vixen, and shrew. The villain, *Sir John Oxon*, appears in the first act, and discloses the fact that

he has laid a wager to win the favors of the wild young girl. He wins the wager, as we learn in the second act, when he, now betrothed to an heiress, comes to break off with *Clorinda*. *Clorinda*, learning of *Oxon's* betrothal before he meets her, dismisses him with scorn. Then she accepts the suit of an elderly nobleman, immediately after which she meets the *Duke of Osmonde*, the only man for whom she has ever had a respectful admiration. The *Duke* discloses to the audience, if not to *Clorinda*, that he is in love with that beautiful woman. The third act opens in London with *Clorinda* a widow and a countess, and the *Duke of Osmonde* about to appear. *Oxon* comes on the stage in the attitude of bully and blackmailer. *Clorinda* defies him; and he goes away to search for a lock of hair, which he had cut from her head as the evidence of her favor. Meantime *Osmonde* appears and makes very stilted love to *Clorinda*, who yields at last—as she meant to do from the beginning. This business being settled, the *Duke* rushes off, and *Oxon* reënters. He tells *Clorinda* of the wager that originally took him to her; of his recovery of the lock of hair; and of his intention to have her for himself, now that she is rich,—otherwise to prevent her from becoming the *Duchess of Osmonde*. *Clorinda*, maddened by his insults, strikes him with the handle of her heavy riding-whip; and he falls dead at her feet. She covers the body with a sofa, and then receives a numerous company of guests. At dead of night she hides the body in the cellar, which afterward she has bricked up. The next and last act is her meeting with *Osmonde* after his return. He overhears her frantic talk with her sister, and learns that it was she who killed *Oxon*, and, presumably, why she killed him. He approves of everything, forgives everything, and they “live happily ever afterward.”

In the novel the *dénoûment* is different. *Osmonde* never learned her story; but they lived happily ever afterward all the same. Possibly Mrs. Burnett feared that, in a realistic representation on the stage, an audience would be shocked to see a woman who had slain one lover happy in the arms of another. If this were the reason for the alteration in the play, I do not think she need have bothered; for it seems quite impossible that anyone should take seriously what in this play is done and said. From beginning to end it is most palpable play-acting; and there is no more illusion than that we create at a masked ball, when, in unaccustomed costume, friend talks to friend in a voice that is frankly assumed. But the play affords a pleasing entertainment. Indeed, the heroine is on the stage nearly all the time, and is so fair to look upon that she is entertainment in herself.

Monday Evening, November 21.—Daly's Theatre: Shakespeare's "The Merchant of Venice." Whenever during his long and successful management Mr. Daly has put a play on the stage, it has always been well worth notice. I am not including, of course, the musical farces with which he supplements his regular season; though against these very little can be said, as the merriment of them is usually refined, and the horse-play relieved and saved by humor. But the serious things, whether new plays or the revivals of old comedies, are always worthy of serious attention. Mr. Daly has, it is true, sometimes failed to hit the public taste; but he has never seemed to be discouraged. On the contrary, he has always gone on to better things, as though confident of his ability to win success. He, therefore, never skimps in any of his productions. What is worth doing at all seems to him to be worth doing well. And so, when for the first time he produced "The Merchant of Venice," he put it forth with a setting which with entire propriety may be called gorgeous.

Mr. Daly has a very able company; and it is equal to almost any demand that can be made upon it. Its chief member, Miss Rehan, has a capacity so wide in its scope that she appears to be able to take any part that has been written. She is now in the maturity of her power, ripe in experience, and rich in beauty. It is therefore gratifying to record that her *Portia* was entirely satisfactory.

When a play such as this is revived it is impossible not to compare, mentally at least, the actors in it with those previously seen. And we have seen great *Portias* in New York, even in recent years, and *Shylocks* too. I fancy that no old theatre-goer went to Daly's without a keenly whetted curiosity as to how this new *Portia* would compare in this great part with Miss Terry and a half-dozen others who have been distinguished in it. It may be said at once that her interpretation of the part is not in imitation of anyone else. In *Portia* she employs the same methods which she has found efficacious in other plays, and achieves the same success to which she is accustomed. It may be said, with truth perhaps, that she is not great as an elocutionist; it may be said also, and perhaps with just as much truth, that she lacks the "grand manner" of the olden time, during which convention "built big" about such parts as this. And other special things might be said of this particular and that in her acting of *Portia* and her speaking of the lines. But in the end the conclusion must be arrived at that her *Portia* is a living woman, a living, feeling, beautiful woman moving through a brilliant comedy which is at the same time one of the greatest poems ever created.

Therefore her success is certain; and she has added to her well-earned laurels by this latest achievement.

The *Shylock* struggled valiantly with a part almost too strong for him. It was, however, a smooth and well-thought-out performance; while the scenery and stage setting generally were thoroughly artistic and beautiful.

With this play Mr. Daly asked the question very plainly as to whether the New York public really wanted Shakespearian plays. The pessimists, as is their nature, said at once that the time for Shakespeare was past; but there are others who believe very sincerely that Shakespeare would be as much enjoyed as ever, if the public had sufficient opportunities to become accustomed to his plays. The taste has been diverted; but I do not believe that it has been spoiled.

Tuesday Evening, November 22.—The Lyceum Theatre: "Trelawny of the Wells," by Mr. Arthur W. Pinero.¹ I do not know whether Mr. Pinero intended this as a burlesque or not. On the playbills it is called a comedietta; and, therefore, I am inclined to believe that the playwright did not intend that horse-play should predominate. It does, however, at the Lyceum. And it may be that without this exaggeration and noisiness the play would be tame. As it is, it affords an evening of gay entertainment; and we should be grateful for it. If the play or comedietta, or burlesque, or whatever it is, has any purpose, it is to contrast the Bohemian society of the stage folk with the conventional life that flourishes among the English upper middle-class. In the play, both of these are overdrawn; and so, I fancy, the contrast in effect may not be unfair, though in both cases the representations are.

The play has to do with a young man, the grandson of a vice-chancellor, who falls in love with an actress. The actress is taken to the vice-chancellor's house on probation. There she is bored by what the lines of the play represent as narrowness and dulness; and the vice-chancellor is shocked by her freedom of manners and her disregard of the conventions. She goes back to the theatre; her lover goes on the provincial stage; and everybody is boisterously unhappy till the lovers are brought together in the rehearsal of a new play. And there we are.

I do not believe that any actors off the stage ever behaved as do these in Mr. Pinero's play. But surely Mr. Pinero knows better than I; and then the actors who are in the play must know all about it. Still I am more than half convinced that all this was meant for a burlesque, a hoax

¹ An article on "The Plays of Arthur Wing Pinero," by Mr. GUSTAV KOBBE, appeared in THE FORUM for September, 1898, p. 119.—ED.

on the public. It is absolutely certain that no English vice-chancellor ever had a household which in the slightest degree resembled the one which is here put upon the stage. The actress who is supposed to shock these straightlaced residents of Cavendish Square is at every moment of the time a thousand times more conventional in her appearance and her action than those she is supposed to shock.

But, as was said before, the play is very good fun; and an evening at the Lyceum while this piece holds the stage will be spent gayly and innocently. It is a great relief from some of the sex problems Mr. Pinero has sent us. It is quite devoid of vulgarity. I have said that the acting was mostly horse-play. That is quite true; but there were two exceptions. Miss Mannerling, who had the part of *Rosa Trelawny*, and Mr. Morgan, who acted as *Tom Wrench*, held aloof from this; and each is as serious as the surroundings will permit. Indeed Mr. Morgan showed extraordinary skill in that quietness of action upon the perfection and general adoption of which the success of the new dramatic school depends. Of this school there are several able exponents on the American stage. Most of them, however, are women. This member of the Lyceum company is one of the very few men who are worthy to be classed in the same rank as the accomplished women who are at this time the chief ornaments of the stage and the greatest attractions of the playhouses.

Wednesday Evening, November 23.—Madison Square Theatre: "On and Off," from the French of Alexandre Bisson. This is a farce pure and simple; and it affords as good entertainment as anything seen on the New York stage in years. Most of the comedies we see, especially those imported from England, are converted into farces by the actors, who seem to believe that they have to do so in order to give the plays the necessary movement and snap. But this is a frank farce which pretends to be nothing else. And from beginning to end it is free from coarseness. The name of the farce made me feel very shy of it: but I was wrong in my suspicions; and I am grateful for the opportunity to say so. It is, to be sure, fooling, as farces should be; but it is delightful fooling all the time. In it the phonograph is introduced with good effect; and the sepulchral voice that comes from that machine adds greatly to the gayety of the situations.

I should not like to say that most of the comedies on the New York stage are entrusted to actors who would be more at home in noisy farces. I do not need to say it. These actors proclaim it nightly, and, in some instances, at two *matinées* a week besides. But in this farce we have in the chief part one of the most accomplished actors of the

day,—a player whose work in many lines has met not only popular favor, but critical approval. In this farce Mr. Holland is admirable—admirable in his *abandon*, admirable in his reserve. His acting in this instance shows the inestimable advantage of training in a wide range of characters and of plays. All the parts in the farce were well done, however; and the well-pleased audience laughed and chuckled from the rise of the curtain to its fall.

Thursday Evening, November 24.—The Empire Theatre: "The Liars," by Mr. Henry Arthur Jones. This is a very commonplace play by an English playwright who appears to have very commonplace talents and much industry in the exercise of them. He has not quite succeeded in getting rid of the idea that French art depends upon the flavor of vulgarity which seems inseparable from the French life, as it is shown to us by the novelists and playwrights of Paris. Mr. Jones, therefore, continues to insert into his depiction of English life the false idea that the chastity of women is always on trial.

It is true that the plot of "The Liars" is so slight, and at the same time so obvious, that no one in the audience is in suspense even for a moment as to what is going to happen. No one feels any concern as to the safety of the young woman; for there is absolute certainty that everything will be worked out satisfactorily, with tears, contrition, and reconciliation at the end. The audience, being relieved of apprehension, and undisturbed by the slightest illusion, is in a condition to enjoy the humorous antics of the people on the stage. And these people are men and women of very marked talent, the chief actor, Mr. John Drew, being a comedian of approved ability. He is evidently a thorough humorist; for he provokes laughter in the simplest possible way. He has, too, that genius which the best *raconteurs* possess; for he gains our confidence, and we are ready to respond appropriately whenever he bids us. This is a rare faculty; and in such a play as "The Liars" it is absolutely necessary. Without him, or some one like him, the play would not get on at all. There is no demand for naturalness from him; and therefore the simple devices he employs divert us exceedingly. The evening was gay and filled with more or less hearty laughter. But the next morning it was really difficult to recall what had been amusing. This play is one of the great successes of the season; and the house is crowded at every performance. Mr. Drew, however, is exceedingly popular in New York, and always attracts.

Friday Evening, November 25.—Garrick Theatre: "Catherine," by Henri Lavedan. This is a translation from the French; and, when I

saw it, it had occupied the stage of the Garrick Theatre for ten weeks, and had always attracted large audiences. The first translation was made, I am told, by the London critic, Mr. Clement Scott; but the Ollendorff English of this version was considered a trifle too mechanical. The play is a very slight thing; and there is little or no suspense in it. We see at the beginning how the whole thing is to be worked out. *Catherine Vallon* is the mainstay of a poor, but respectable, family. She is a music-teacher; and, while giving piano lessons to *Madeleine de Coutras*, the brother—a very rich and, in his youth, a real Sunday-school young man, who is also a duke—falls in love with her. *Catherine* has already a lover, a young man in her own class, who also has virtues to spare; and to him she engages herself just before the *Duke's* mother comes to ask, in behalf of her son, *Catherine's* hand in marriage. *Catherine* asks for time. Then the lover appears, and, with a generosity more than human, gives up his sweetheart to her noble suitor. After they are married *Catherine* gets jealous of the *Duke's* cousin, who is also in love with him. This cousin, who is not viciously bad, but who is no better than she should be, is the villain of the play. *Catherine* catches the cousins embracing; and then she concludes to leave her grand home. She sends, however, for her highly moral lover; he straightens out the tangle; and all once more are as happy as possible.

It will be seen that in this very simple plot there is nothing novel, nothing novel except that it should be of French manufacture and still preserve a Sunday-school atmosphere. The construction, however, is good; and the play moves along so smoothly that one is half persuaded that things are really happening. And there are times when the illusion is complete; for the play is most admirably acted. The honors of it easily go to Mrs. Lemoyne, who plays the part of the *Duchesse de Coutras*, and who is a very accomplished actress. Her methods are very quiet. She never rants, never rushes around, never screams, never screws up her face nor rolls her eyes, never saws the air with her hands, nor walks back and forth to show her gowns and prolong her scenes. She is a complete artist, the realization of quietness, of naturalness. Hers is an important part; but, confided to a person of less ability, it would have been only a peg to hang two or three episodes upon. Miss Annie Russell, the star of the piece, is also an accomplished player; and she gets all that is possible out of her part. She, too, is quiet in her methods, and can express emotion without raising a whirlwind. Indeed in this little play all the women do excellently well. They surpass the men in lack of self-consciousness and in the capacity to be quiet.

When I prepared my article for THE FORUM in 1895 I went to six performances, as follows: Gillette's "Too Much Johnson"; Sardou's "Madame Sans Gêne"; Grundy's "A White Lie"; Jones's "The Case of Rebellious Susan"; a German comedy, "The Railroad of Love"; and Sardou's "Gismonda." One of these was American, one was German, two were French, and two were English. Among them there was not a great play. Of course both of Sardou's were of finished construction; though one, by reason somewhat of its subject and treatment, and also on account of the ineptness of the players, was both brutal and coarse. Both of the English plays were of the sex-problem character; and both were vulgar in idea and immoral in influence. The German play was rather a farce than a comedy, and was full of harmless fun. The American piece was a very broad farce; and I described it as "immoral and coarse, without relief." In the main these plays were all well acted; and, without exception, they were put on the stage with a most admirable liberality of setting.

But the showing as a whole was distressing, though by no means hopeless. We had able actors and liberal managers: the difficulty seemed to be to obtain good plays which the public would care for. To be sure, the method of employing actors seemed to me to be wrong, inasmuch as it circumscribed their rightful province in the theatre, and quite took from them the responsibility for taking the initiative and being original. That condition has not been changed, nor is it likely to be in the immediate future, as the managers are more firmly in control now than before. But the conditions which concern the public have improved; for the plays given are in the main of a higher class, and the acting is better also.

Of the eight plays I saw this winter one was an English classic of the highest order, and one a French poem which will surely be among the classics when it is no longer new. Of the remaining six three were English and two were French; while one was American, if it be correct to count Mrs. Burnett as one of ourselves. I need not speak of "The Merchant of Venice" nor of "Cyrano de Bergerac." They are of an order so much higher than the other six that they cannot be compared with either of them in any way; nor can either of them be compared to the plays produced when I made my former report. Of the three new English plays one is wholesomely amusing, one amusingly commonplace, and the third, "The Christian," is, in my opinion, depressingly immoral. The two French plays are both clean and pure. The American play is, as I have said, merely a play, and is neither bad nor good.

In a recapitulation such as this the very marked improvement is not as apparent as it should be. Indeed, it is very hard to convey an idea of the difference. Those former visits depressed me. I was convinced that what I saw on the stage were not depictions of life, but, in great measure, mere arrangements of disagreeable and often nasty situations which ought not to be mentioned in polite society, much less placed upon the stage. On my recent visits I saw only one play that was actually vulgar; and even in this instance the vulgarity of it entirely escaped the majority of those who saw it. One of the others was commonplace, one was meant to be very *risqué*, but escaped, and in the others there was nothing harmful whatever. Then we had "The Merchant of Venice" and "Cyrano." Such a showing is a very great and gratifying advance.

When nastiness revelled behind the foot-lights the managers apologized for it by saying that they were giving only what the public required. However the public felt then, there is now a change; whether it has been made by public demand or not I do not know. One thing however is certain; viz., the theatres are much more crowded now than they were then. Here, too, it is not safe to draw hasty conclusions. There seems to be more money to spend this winter than there was a few years ago. And there is another thing. In times of prosperity money is spent with a light heart, and people do not count the cost.

Mark Twain, in a recent article in *THE FORUM*,¹ made an eloquent plea for tragedy. He asks for a tragic tonic once in a while, as then "we shall enjoy the comedies all the better. Comedy keeps the heart sweet; but we all know that there is wholesome refreshment for both mind and heart in an occasional climb among the solemn pomps of the intellectual snow-summits built by Shakespeare and those others."

In this our great humorist, turned serious for a season, is undoubtedly right. We need tragedies; we need great plays, either old or new, not only for the sake of the people who go to the playhouses, but for the sake of the men and women of the stage; for it is in great plays, and in great plays alone, that they can acquire that easy skill and that commanding distinction which place the great actor at such a distance from the mummer and the mountebank.

If the plays and the acting I have seen indicate fairly the condition of dramatic art in America, then I must conclude that the condition is infinitely more healthy than it was four years ago.

JOHN GILMER SPEED.

¹ "About Play-Acting," in *THE FORUM* for October, 1898, p. 143.